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ROLL NUMBER

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2184

2007 SENATE EDUCATION

SB 2184

2007 SENATE STANDING COMMITTEE MINUTES

Bill/Resolution No. 2184

Senate Education Committee

Check here for Conference Committee

Hearing Date: January 16, 2007

Recorder Job Number: 1186, 1207, (recorder failed for afternoon session)

Committee Clerk Signature

Minutes:

Chairman Freborg opened the hearing on SB 2184, a bill relating to school calendars and compulsory attendance. All members were present.

Senator Flakoll introduced the bill. (Written testimony attached)

Senator Gary Lee asked what the addition of the days would mean in terms of compensation for staff.

Senator Flakoll said currently the average number of contract days is 186. We have 7746 FTEs in the state, we spent \$790 million statewide for education last year for those days. Now is the time when we are looking at a budget enhancement for education of \$80.5 million to do this. It may help move us up in terms of average teacher compensation.

Senator Gary Lee said the fiscal note is substantial, does that fit with his thinking of the additional cost?

Senator Flakoll said the P16 commission talked about \$3 million per day as a cost, it is about \$4.2 million with physical plant, buses, included. The state has partners in education, the local subdivisions and the federal government.

Senator Taylor said does North Dakota have the lowest drop out rate? If we move to 18, will our drop out rate change to zero?

Senator Flakoll said in theory that should be true. Historically, North Dakota has done very well in term of graduation rates. We are in a transitional period in terms of determining graduation rates since there is a new configuration we are using.

Senator Bakke asked about the reasons for the drop out rate. Did the committee consider program changes that would need to be provided to accommodate them? For example, the child that drops out and goes to alternative high school, there would need to be increased funding of those programs.

Senator Flakoll said they discussed it; the framework is set up. There has also been discussion of disorderly students. He has a resolution later in the session to regain the classroom for the teachers, the kids are running the show in many cases.

Chairman Freborg asked if he believes it's better to keep an unruly student in school.

Senator Flakoll said when he was in fourth grade he really did not want to be in school but he doesn't think he should have been allowed to quit. 18 was considered because that is when many believe we become adults. Separate issues are controlling the environment of the classroom. There are children that are less than 14 that are disruptive and we need to have discussions about providing the right environment where all students can live up to their potential.

Representative Kelsch testified in favor of the bill. The issue needs to be discussed. These issues are being brought forward by the business and education communities, the P16 commission included business people too. The two ideas have merit, now is the time to look at the issues when we have the money and are looking at equity and adequacy. She hopes to see the bill on the house side.

Senator Bakke asked when a student drops out at the age of 16, do they need parental consent?

Representative Kelsch said yes.

Senator Taylor said on the business side, what comments are made on compulsory attendance and contact days.

Representative Kelsch said there was more concern on the school contact days although they are also concerned about 16 year olds dropping out.

Representative Delmore testified in favor of the bill. She served on the P16 commission. They could not bring as many things forward to this legislative assembly as they might have. They undertook a very comprehensive study, an excellent discussion, the value was from the private business sector. It was also good to sit down with the colleagues in higher education, we tend to separate higher education from P12.

Anita Decker, director of school approval and accreditation, Department of Public Instruction, testified in favor of the bill. (Written testimony attached)

Senator Taylor asked about students who graduate at age 17.

Dr. Decker said there are gifted and talented students who graduate early, they are an exception in practice.

Senator Flakoll said Anita Thomas said another section of law says they can leave school if they graduate at an age less than 18.

Senator Gary Lee said P16 looked at adding 10 days, is this meaningful change?

Dr. Decker said any change in this direction is good, 10 would likely be better than 3.

Senator Gary Lee said in other places, how do they handle the discipline issues with might occur with unruly students?

Dr. Decker said she has not researched that.

Senator Taylor asked how many school districts are at 173 days now.

Dr. Decker said her best guess if 95% plus do the minimum.

Bev Nielson, North Dakota School Boards Association, testified. (meter 29.16) The North Dakota School Board Association has a resolution for the additional days of instruction and for the attendance until age 18. However, they do require the funding be available so that schools can provide it. They are in favor of the additional days with the state picking up half of the cost. The age of 18 and the additional days and other recommendations from the P16 commission that they probably agree with, should be part of a comprehensive adequacy study done in the interim, by the Governor's Commission. They would like to determine what defines education, the way we want it to look in North Dakota. What is an adequate and rigorous education? If we are talking about the number of instructional days, until what age or what course requirements, or differentiated diplomas, it is premature to act on these issues until we have done a comprehensive study of what we offer students and adequacy of funding and where those funds come from. A part of the adequacy study should be to build programs to hold the interest of students who aren't interested in some classes who now lose interest and leave. The alternative high schools, building an excellent program in technical education would help us keep kids in school. The funding with the \$80 million, it is their position it is largely catch up equity money to go to schools who have fallen behind or who are unable to raise local funds and catch up money for districts that have been picking up that extra 10 – 20% the state has not been paying. They would like to see the 70/30 split and not just by replacing some property tax money but by increasing state funding in relation to the actual cost of education which we haven't defined yet. They do not see the \$80 million as money to use in starting new programs.

Senator Taylor asked if she has seen the fiscal note.

Ms. Nielson said yes.

Senator Taylor said if the \$80 million was increased to \$91.5 million, would they be supportive.

Ms. Nielson said the \$11 million would be critical. They still believe they would be putting it into law before they are prepared to offer the programs. They need to increase and build alternative high schools and technical programs.

Senator Flakoll asked about contact days vs. contact hours. Should we extend the day or extend the year?

Ms. Nielson said they have had a lot of discussion about getting away from the number of school days and going to a number of contact hours in order to better accommodate block scheduling. They are interested in flexibility. Minnesota has had hours for years.

Senator Taylor said the one exception we have is one school with a 4 day school week, that was by Department of Public Instruction approval.

Ms. Nielson said yes, that was an elementary district, it was not approved when requested for a high school district.

Senator Bakke asked if the fiscal note takes into account the additional staff that would be needed to keep 18 year olds in school.

Ms. Nielson said she thinks they took the average cost of education X the number of drop outs. If you believe the average cost of education takes into account staff, then it would.

Programming and space were not considered. Their position is they would need an investment by the state in a lot more alternative high schools and career tech programming. It is critical we start these discussions.

Chairman Freborg asked if there is an overriding desire to extend the calendar among school board members.

Ms. Nielson said they have had a resolution on the books for additional days forever, if it is paid for fully by the state. The school districts are not flush right now. Yes, they want additional days but they can't afford to pay their share.

Michel Hillman, Vice Chancellor of Academic and Student Affairs, North Dakota University System, testified in favor of the bill. The Board of Higher Education has not met since the bill was introduced, they will meet on Thursday and this bill is on their agenda for consideration. Based on their previous adoption of the education task force report and the resolution they adopted (attached), the Chancellor has recommended and supports the bill. State law does require the four state level boards of education, the State Board of Higher Education, the Education Standards and Practices Board, State Board for Public School Education, State Board for Career and Technical Education, work together to coordinate education in the state. It was under that authority the joint boards appointed representatives, including those from the state chamber of commerce, to have a comprehensive discussion of needs to address adequacy. The P16 task force concluded the state education system, although operating from a strong foundation, needs systemic improvement. The competition is strong from other states. Is this the right time for lengthening the school year? The P16 report recommends 183 days by 2011. With the potential resources available, we have an opportunity to improve achievement and salaries by increasing the number of contact days. The change to age 18 is not specifically addressed by the education task force. It is consistent with the recommendations that in order for students to have an economically viable future, and to support the state's economy, we need to look at increased achievement and the completion of additional years. It would be difficult for someone at age 16 to complete 21 or more units, or 4 units of English. Adequacy will be a major issue for the future of the state. Systemic change in the education system takes years, the sooner we get started, the better.

Doug Johnson, Executive Director of the North Dakota Council of Educational Leaders, testified in favor of the bill. They have had a position statement to support additional days for a long time. They don't want it to be an unfunded mandate. He has participated in the

Governor's Commission and he would want this funded in addition to the \$80 million. They have not discussed the change to 18 years of age and have no official position. He has discussed this with Scott Halverson, principal at South Central High School, an alternative high school in Bismarck. He is here today and would be happy to answer questions. Secondary principals have some concerns, mainly for funding to take care of the kids that need to stay in school. When kids drop out, they are usually so far behind in credits, they are never going to catch up and it creates frustration. They need a support network. As a middle school administrator, he knows this type of support has to start early to prevent drop outs. It is a good bill; the financial side is a concern.

Senator Bakke asked if there would be a need for additional counseling services, more vocational services/

Mr. Johnson said not necessarily counseling, more social work would be needed. It is a family issue. In 1995 he put together a proposal to the Bismarck School Board and the cost at that time was \$1/4 million for an additional social worker, tutor, a maximum of 10 students in an alternative setting at the middle school level to support those students.

Scott Halverson, Principal, South Central High School appeared to answer questions. He is also the Director of the Adult Learning Center which provides services for GED and retraining services. He can attest to the fact that he sees a lot of the ramifications of not being in school. They have students ranging in age from 16 years and up.

Senator Gary Lee said Bismarck has an alternative high school and professional resources. What about districts without these services?

Mr. Halverson said he has been in this for 10 years. He gets contacted occasionally by the smaller school districts. At South Central they have 100 kids that attend daily. They have the support staff and teachers to serve the students. Some of the smaller schools have joined

forces and provided an alternative setting. There is also the school within a school, where there is a separate place in the school set aside for these students who are having difficulty. He doesn't think that is a viable concept. These students often feel ostracized when they are in the same school and they have their own separate room. This starts early. As ninth graders or 16 year olds, when they have zero credits and it becomes a numbers game, they don't see any future. There are some programs that can help but it has to start early.

Senator Bakke said in Grand Forks, 80 students are on the waiting list for the alternative high school. Is that a problem here? How could his program accommodate more students?

Mr. Halverson they would have to make a lot of accommodations with the 16 – 18 year olds.

Now they have some waiting lists for some classes but it isn't too long. When a student finally realizes a GED is their best option, then it is a matter of transitioning. Allowing the GED as an option is important. Without it, it becomes a numbers game, not a learning game.

Senator Taylor asked how common is it for a 16 year old to drop out and seek a GED? Of the 13.3% that drop out, how many earn a GED before they are 20?

Mr. Halverson said what happens is they drop out at age 16 or 17. They see them back when they are 20 – 24 to get their GED. The circumstances at that point, they may be married, they may have children, they are in a low end job, it's hard for them. Now about 70% of their students in adult ed are between ages 16 – 23. It is mostly young people.

LeaAnn Nelson, NDEA, testified in favor of the bill. They want to be sure the cost for teacher compensation is considered. As a parent, she has 4 children, one who has finished college, 2 in college and 1 in high school. One that is currently in college, dropped out at age 16. They went through hell. They tried to get him back into school, the school worked with him, law enforcement worked with him. Eventually law enforcement advised them everything would be better when he was 18. He got his GED between ages 16 and 18 and at age 18. something

lifted. Now he has been going to college for about a year. Everyone tried to help him, and he would not go back to school and he was not a bad student. Parents try but sometimes they can't do it.

Janet Welk, Education Standards and Practices Board, testified in favor of the bill.

Al Leibersbach, Superintendent of Schools in Beulah, said he supports the bill in theory. He has not seen legislation funding the added three days. His local school district is at the 185 mill cap, to extend the calendar by three days, even with a 7-/30 split, where does he find the additional 30%? The other concern is with other legislation with a mandated after Labor Day start. With 173 contact days and an after Labor Day start, he can put a calendar together with graduation before Memorial Day. When he does that, he needs to exclude Martin Luther King Day, President Day, the day after Thanksgiving, parent teacher conference comp days. There are no breaks left in the school calendar from January 2 to Easter. That is hard on the students and faculty. He doesn't see how an after Labor Day start can be mandated with an extended school year. If the school calendar goes beyond June 1, what does that do to summer programs such as Boys State, Girls State, FFA Convention, and summer school programs. The longer we can keep our students in school, the better but the change to age 18 would have additional costs. When a 16 year old decides he doesn't want to be in school it is very difficult to plan a program to get that student back in school. They do not need parental permission to withdraw. Then they reach the 10 day absence rule and lose all credit. He would like to see a 100% graduation rate but in order to achieve that, he needs the funds to set up special programs. Now a student who leaves his high school at age 16 and applies to the GED program is listed as a high school drop out, even though he is completing his GED and may complete it with his class.

Senator Flakoll asked the recent history of the property tax valuation increase in his district.

Mr. Lieberspach said the valuation is going up slightly, 3 – 4% per year. That brings in a few new dollars but the cost of living and cost of operations is going up faster than that. The 30% match is a theoretical figure, its closer to 60% now. He is still ending up short.

Senator Flakoll asked if the statewide average is 186 contracted days and 3 additional days is about 1.6% in 4 years increase.

Mr. Lieberspach said his mental math is not quite that quick but it sounds reasonable. They would have to increase their staff by one additional day per year.

Senator Flakoll said there is a bill out there to provide \$4 million for Career and Technology Education. Will that help some of these students find something that is invigorating academically and help them find their way to prosperity?

Mr. Lieberspach said he has touched on one of his pet issues. He is a career tech teacher and ag instructor for many years. Any time we can expand our career and tech offering it will help those at risk students be more engaged in the programs. Is \$4 million enough? Probably not.

Senator Flakoll asked with declining enrollment, would it help to pick up 13.3% more students?

Mr. Lieberspach said when they looked at declining enrollment, the drop out rate really isn't affected. Those students who drop out are on the student list at the beginning of the year.

Some reenroll the next year. He plans for those students to be there.

Senator Bakke said for clarification, did the committee look at starting school at 6 rather than extending it to 18?

Senator Flakoll said he doesn't recall that. He recalls a bill in this committee in 1999 and there was significant opposition to it, heavy opposition, the same people that dislike kindergarten tended to weigh in on the issue. There was support for full day kindergarten but no focus on

minimum age of attendance.

Chairman Freborg said the committee should offer congratulations to the Director of School Approval and Accreditation because she is now Dr. Anita Decker. (applause)

Chairman Freborg closed the hearing on SB 2184.

Senator Bakke said she is concerned about the fiscal note, it is not adequate. (#1270) There are many hidden costs involved in changing the age to 18. She is in favor of the change but it will be expensive; we must consider the cost of desks, books, staff and space.

Senator Taylor said even though there is a fiscal note attached, we wouldn't be funding the extension and the revision unless we added an appropriation to the bill.

Chairman Freborg said unless there was an appropriation somewhere else to cover it, it should be a line item appropriation to reflect the additional cost, the state's share.

Senator Gary Lee said in thinking about the costs and those students who may stay another couple of years, there is wide dispersion across the state with a concentration in the bigger districts. He is wondering about the accuracy of needing huge dollars to accommodate those kids. In some of these alternative high schools or in some of the smaller districts without those resources, there may be an opportunity for JPA's to help meet these needs.

Chairman Freborg said he hesitates to say it because he knows there is at least one gentleman in the room that disagrees but it could be a wash if they keep another 8 – 10% students in a school for which they will receive foundation aid. This could help cover declining enrollments. He is not sure their costs will go up.

Senator Taylor said it would be interesting to see where the drop out rate is. He can't think of one in the last several years in his home school district. Declining enrollment is a bigger issue for the small school districts.

Chairman Freborg asked how they keep records on kids who just don't enroll for the next year of school. In the very small communities, it's easy. In the larger districts, how do they know if they have moved, are attending an alternative high school or a private school?

Senator Bakke said in Grand Forks, if a student decides to drop out of high school, the high school will often just switch them to the alternative high school, assuming they will start there. Sometimes they show up, sometimes they don't. There is such a long waiting list, they don't go looking for them.

Senator Gary Lee said we heard they need parental consent if they drop out at age 16 so the school district would know the parent had authorized it.

Senator Flakoll said he would like to have Anita Thomas come down, there are differing opinions on this point.

Chairman Freborg said we can do it but perhaps not right now.

Senator Flakoll asked for the committee's thoughts on an effective date. The date in the bill was picked because the calendar year is usually how someone thinks of a birthday.

Senator Bakke asked if he means before or after Labor Day.

Senator Flakoll said that is not in the bill, he is asking about the effective date of compulsory attendance legislation. He explained his thinking on selecting the effective date (meter10:25)

Senator Bakke asked if a student who has dropped out at age 16 but then the law changes, will they be required to reenroll.

Senator Flakoll said we would want to put the effective date far enough out there so that students would know it was coming and not drop out in the first place.

Anita Thomas appeared before the committee to answer questions about parental consent for dropping out of school and the truancy law (meter 11:55)

Senator Flakoll said the P16 commission asked for a more aggressive path than the bill requires. He thought it best we move at a slower pace. We can re-evaluate at future sessions, we need check points along the way.

Senator Gary Lee asked if we add meaningful opportunity by adding one day.

Senator Flakoll said the Japanese do clever things, an immersion program for instance. We could supplement the traditional educational regime. There should be some creative way to use an extra day.

Chairman Freborg asked if the committee wants to sleep on it.

Senator Flakoll said the P16 commission wants to get this in front of people. Rigorous discussion is important. He could have an amendment. He would like to see the money in the Department of Public Instruction budget rather than parceled out.

Chairman Freborg said the money is safer here than in the Department of Public Instruction budget. We can pass a bill and then the money is taken out and where are we?

Chairman Freborg said the committee may reconvene after the floor session today and closed the discussion.

Chairman Freborg opened the discussion of SB 2184 at 2:00 PM.

Senator Flakoll said he talked to Anita Decker about the fiscal note. She is coming down to discuss it with the committee.

Anita Decker, Director of School Approval and Accreditation for the Department of Public Instruction appeared to answer questions.

Senator Flakoll asked for a clarification of the fiscal note.

Dr. Decker said one day would be added to the school calendar for 2007 – 2008. They estimate the cost of a day of school to be \$3 million so they allocated \$1.5 million to the state and \$1.5 million to the school districts. There will be 5 additional days for 2009 – 2011, 2 in

the first year and 5 in the second year so they allocated \$7.5 million for the state and \$7.5 million for the school districts.

Chairman Freborg asked how cost for additional days is determined.

Dr. Decker said it is based on \$3 million per day operation costs; this is exclusive of capital improvement costs.

Chairman Freborg said there is a good chance that is not the cost.

Dr. Decker said that may be true but it is the best figure they could come up with. They don't know what each teacher contract is like, how many days it calls for, most have more than 180 days.

Chairman Freborg asked if the only real cost is salaries. It is sometimes estimated that salaries make up 70 – 75% of operation costs.

Dr. Decker said that may be, she doesn't have access to those numbers.

Tom Decker, Department of Public Instruction, also appeared to answer questions. He said there was a lot of discussion at the P16 sessions about the cost per day of additional days.

Some people think the total should be the total cost divided by 180 days which is closer to \$4.5 million. It is hard to justify a different figure, you still have to heat the building and drive the buses. It's a reasonable figure.

Chairman Freborg said we will never know the actual cost. In the Senate, 40 people will want to know how we arrived at the numbers in the fiscal note. What if there was no appropriation for the first biennium?

Mr. Decker said you will hear about unfunded mandates.

Chairman Freborg asked what if the appropriation comes out of the \$80 million.

Mr. Decker said that is a political strategy issue.

Chairman Freborg said the \$80 million is \$20 million more than we started with, we started at \$60 million.

Mr. Decker said he sat through many meetings of the Commission and there was no discussion of the money being targeted for additional days, that money has other uses.

Chairman Freborg said he is not advocating it but it could happen, once it leaves our committee we have no control.

Mr. Decker said he underestimates his influence. He is expecting an ending fund balance in foundation aid over \$10 million.

Senator Taylor asked about the cost of the change in compulsory age.

Mr. Decker said in this biennium, it would affect only the second year; the current sophomores would be seniors. The numbers show 3.3% drop out in their junior year, 10% in their senior year. They figure \$7400 per student per year, half the cost for the state, half for the school district. In 2009 – 2011, with the full 13%, the cost goes over \$4 million.

Chairman Freborg said by adding \$3700 to the state side, you are increasing total foundation aid. We normally don't have a real accurate count.

Mr. Decker said the committee may want to quiz Jerry. They work with a variation of 1 – 2%. If we are expecting an increase of 13%, there has to be more foundation aid.

Senator Flakoll asked how big the senior class is.

Mr. Decker said the current sophomore class is 8174 students. By the time they get to be seniors there will be 10 – 13% fewer.

Senator Flakoll asked if an accommodation was made for the effective date.

Mr. Decker said they thought it would impact the entire year and would recommend it go into effect in August.

Mr. Decker said they usually calculate \$11/student for \$1 million in ending balance foundation aid. With an ending balance of \$10 - \$12 million, that is over \$100 per student.

Senator Gary Lee asked if there are 90,000 students.

Mr. Decker said fall enrollment was 95,600.

Chairman Freborg asked if the committee should put an appropriation in the bill. What happens if we pass the bill and appropriations doesn't add an appropriation?

Mr. Decker said there is clearly a cost of doing this. He would advise putting an appropriation in the bill to show the committee recognizes the costs.

Chairman Freborg said the bill has to go to appropriations one way or another. If we send it out of committee with an appropriation and appropriations take it out, they have to justify it. If we don't put it in, we are relying on appropriations to put it in the bill.

Senator Bakke said if we fund the state portion of the cost, isn't still an unfunded mandate on the shoulders of the local districts?

Chairman Freborg said if we fund it, we are discussing the total amount. He personally thinks the districts will be gaining money.

Senator Flakoll asked Mr. Decker if the bill passes, would we likely get additional federal dollars?

Mr. Decker said he would have to ask the staff, probably yes. We would have taken steps to bring high risk students back and there is grant money available for that. This group of students has higher than average cost.

Chairman Freborg closed the discussion of SB 2184.

2007 SENATE STANDING COMMITTEE MINUTES

Bill/Resolution No. 2184

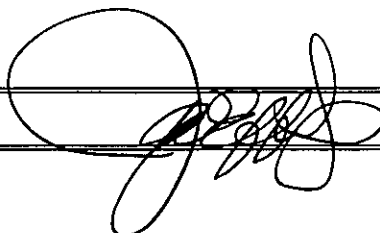
Senate Education Committee

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Hearing Date: January 17, 2007

Recorder Job Number: 1310

Committee Clerk Signature



Minutes:

Chairman Freborg opened the discussion on SB 2184. All members were present.

Senator Flakoll said this could be a bill of interest for the evening session.

Chairman Freborg agreed this bill would be of great public interest.

Senator Flakoll asked what are our wishes. Do we want to provide an appropriation? If the intent of the Senate Education Committee is additional dollars, we might want to add an appropriation. If we think it is important, appropriations may not add the money.

Chairman Freborg said we could put the burden on the house.

Senator Flakoll said what is the vehicle to provide an appropriation.

Chairman Freborg said add the appropriation to the bill before we send it to appropriations. If they take it out, we would be able to discuss it on the floor.

There was some discussion between Senator Flakoll and Chairman Freborg about the timing for the bill to get to the appropriations committee and back to the floor in time for the Tuesday evening session. Senator Flakoll spoke with the chairman of the Appropriations Committee who said he doesn't think that committee would finish with the bill in time for the Tuesday evening session.

Senator Taylor said if we amend the bill, he would prefer fully funding the proposal. According to testimony, it would take \$5 million to fully fund it.

Chairman Freborg said Senator Taylor believes we should put it in the bill and he tends agree, if we intend to pay for it. The fiscal note is for \$2.5 million. We will need a separate section.

Senator Taylor said that would still leave \$2.5 million for the school districts to pay and that is a half funded mandate.

Chairman Freborg said he agrees, if we are ever going to do this and not pay for it, now is a good time with the \$80 million in new funding, although some school districts are not going to receive part of the \$80 million due to declining enrollment. He doesn't think \$5 million is the total cost, maybe 70% of it, the teacher's salaries, is more accurate.

Senator Bakke asked if he is recommending putting the \$5 million in the bill and if there is a greater cost, the school districts would pay for it,

Senator Taylor said that is what he is thinking.

Senator Flakoll said one of the concerns with the fiscal note is they took some liberties with the effective date. The bill is written for compulsory attendance to begin January 1 and the fiscal note, in testimony, was said to have started with the new school year.

Chairman Freborg asked how many students are going to be added with compulsory attendance.

Senator Flakoll said about 1000 students.

Senator Taylor said we have some leeway on the money, the school district would get additional foundation aid. It is plenty strong at \$5 million.

Chairman Freborg thinks they would be happy to get it.

Senator Flakoll said there is not provision in the fiscal note for additional federal funding that will probably come in. The state wide average is 14% for federal money. He doesn't want to

experience death by fiscal note.

Chairman Freborg said we need to settle on a figure and be able to justify it.

Senator Taylor asked if we would feel better with a revised fiscal note that changes the effective date on compulsory attendance and considers the effect of additional federal funds.

Chairman Freborg said we see a lot of figures for cost per day. We don't want to jeopardize the bill and funds may jeopardize it.

Senator Gary Lee said appropriations could also remove the money.

Chairman Freborg said we would have a better opportunity to resist that.

Senator Gary Lee said we are talking about \$5 million in the bill and another \$700,000 coming from federal funds.

Senator Flakoll said he would be a lot more comfortable with survival at the \$2.5 million level. Federal funds could add another \$700,000.

Senator Bakke asked if we could justify the \$5 million since Tom Decker gave us that figure in testimony, this number could be low.

Chairman Freborg said Department of Public Instruction believes that is the total cost. There are other funds involved. We want to be careful, appropriations will ask how we arrived at the number.

Senator Bakke said she is uncomfortable with sending an unfunded mandate back on the school districts. If we only pay half, that is what we are doing.

Chairman Freborg said we are not talking about paying half. We are talking about \$5 million but if there are federal funds, we should take them off.

Senator Flakoll said one of the administrators and other people said if we are doing the effort in SB 2200, and we ask for something beyond the status quo, that is not unreasonable. He is more comfortable with \$2.5 million. Did anyone in testimony talk about both halves?

