

2013 SENATE EDUCATION

SB 2148

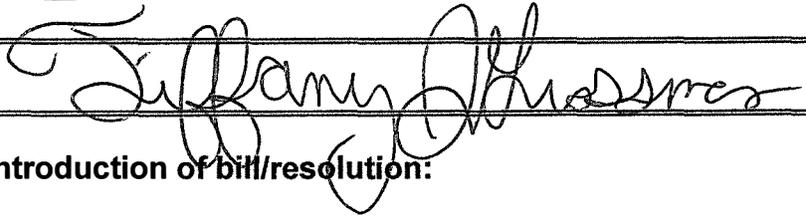
2013 SENATE STANDING COMMITTEE MINUTES

Senate Education Committee
Missouri River Room, State Capitol

SB 2148
1-28-13
17836

Conference Committee

Committee Clerk Signature



Explanation or reason for introduction of bill/resolution:

Relating to North Dakota foster care scholarships

Minutes:

You may make reference to "attached testimony."

Chairman Flakoll opened the hearing on SB 2148

Senator Judy Lee: I wish to testify in support of SB 2148. Rather than giving my comments only I would like to read the testimony from a professional in the field (See attachment # 1 from Tara Lea Muhlhauser, child welfare professional in North Dakota, for written testimony)

Senator Judy Lee: We should help them move their education forward and become successful citizens of the State of North Dakota or wherever they may go.

Vice Chairman Schaible: The testimony said there are other resources available.

Senator Judy Lee: I don't have that information but can get it to you. My intention is not to pull these dollars from others but direct some towards students who have an interest. I would just like them to be what they can be.

Vice Chairman Schaible: This is scholarships just for the foster kids that meet this criteria.

Senator Judy Lee: Exactly. Maybe it is just a small amount but I don't have a plan.

Chairman Flakoll: They would be eligible for other needs based still?

Senator Judy Lee: I would be comfortable with that. Maybe you need to say up to a certain amount or an alternative.

Chairman Flakoll: Is it implied that they graduated in North Dakota or not?

Senator Judy Lee: I think it should be a North Dakota High School. Any kid in the North Dakota foster care should be able to apply.

Chairman Flakoll: There is no reference to campuses in that this is needs based. Should we ask that they go to a campus in the North Dakota University System?

Senator Judy Lee: I would not have any problem with that at all.

Senator Luick: What about someone who is not officially in foster care but is voluntary in a situation similar to foster care.

Senator Judy Lee: I think it is worthy of discussion seeing if you can come up with something that will help these people.

Vice Chairman Schaible: Would you have any idea how many kids this could be?

Senator Judy Lee: I will get that later for you.

Sandy Bendewald, Stutsman County Social Service Director: I do support this bill. We have children in foster care that choose to stay in foster care after age 18 and it is those kids that recognize they need more support. A number of them want to go to college but don't have the resources and this would help them.

Laura Glatt, Vice Chancellor for Administrative Affairs, North Dakota University System: I wish to testify in opposition of SB 2148 only based on the fiscal impact, not the philosophy of the program. (See attachment #2 for written testimony)

Senator Poolman: You mentioned it is expected to grow in excess of \$250,000. Where do those numbers come from?

Laura Glatt, Vice Chancellor for Administrative Affairs, North Dakota University System: Those are based upon our estimates. Once the student gets into the program they have four full years and a new crop of freshman come every year. That is where the cost accumulates over time. The \$65,000 for the first biennium is for two classes of freshman and one class of continuing sophomores.

Chairman Flakoll: Closed the hearing on SB 2148

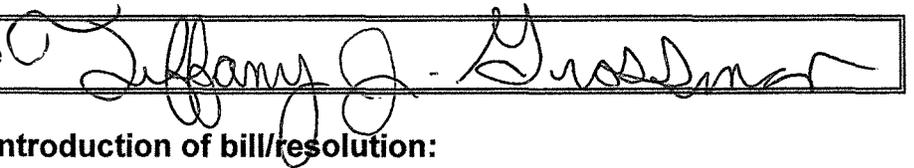
2013 SENATE STANDING COMMITTEE MINUTES

Senate Education Committee
Missouri River Room, State Capitol

SB 2148
1-30-13
17962

Conference Committee

Committee Clerk Signature



Explanation or reason for introduction of bill/resolution:

Relating to North Dakota foster care scholarships

Minutes:

You may make reference to "attached testimony."

Chairman Flakoll opened hearing on 2148

Senator Luick: I offer these amendments (see attachment #1) **I move a do pass on the Luick Amendments to SB 2148.**

Vice Chairman Schaible: Second

Senator Luick: Basically it would add in legal guardianship besides foster care students that are eligible for this scholarship.

Senator Heckaman: I am not opposed to these but how would this change the fiscal note?

Senator Luick: I do not have an idea.

Vice Chairman Schaible: Can we request those numbers and the numbers of all of those categories?

Chairman Flakoll: Senator Luick, doesn't a parent have a legal guardianship of their child?

Senator Heckaman: There is another issue of adult guardianship too. I could be a guardian for an older parent. They probably wouldn't want to go to college but we have to be careful on wording.

Senator Luick: I move to withdraw my amendment.

Vice Chairman Schaible: Withdraw my second.

Senator Luick: My intention was to add in another spectrum of who may qualify for that scholarship and if that is a problem I can live without it.

Chairman Flakoll: Were you interested in putting the remaining amendments on? That it would be a school in North Dakota? Or the adopt rules to implement the program?

Senator Luick: I move the second part of the Luick amendments that would insert after school "North Dakota" line 10 and on line 21 after shall insert "adopt rules to implement the program" and renumber accordingly.

Vice Chairman Schaible: Second

A roll call vote was taken for the adoption of the Luick amendment: 6 yeas, 0 neas, 0 absent.

Senator Luick: Motion for a Do Pass as amended and re-referred to appropriations

Senator Heckaman: Second

Senator Luick: A roll call vote was taken for a Do Pass as amended on SB 2148 and re referred to appropriations: 5 yeas, 1 neas, 0 absent.

Senator Luick: will carry

FISCAL NOTE
Requested by Legislative Council
01/11/2013

Amendment to: SB 2148

- 1 A. **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.*

	2011-2013 Biennium		2013-2015 Biennium		2015-2017 Biennium	
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Expenditures						
Appropriations			\$65,000		\$180,000	

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

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Counties			
Cities			
School Districts			
Townships			

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

Provides a \$1,500 annual scholarship to individuals who voluntarily remain in foster care after age 18 and attend college full-time.

- 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.*

Mandates an unfunded scholarship, thereby reducing current campus revenue collections. Additional state general fund appropriation would be required to cover the cost of the scholarship.

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.*

Unfunded scholarship mandate would essentially be a waiver, thereby reducing campus revenue collections by about \$65,000 in 13-15, based on estimated participation of 15 new students per year (and continuation of others up to four years), and by about \$180,000 in the 15-17 biennium, based on estimated participation of about 25 new students per year (and continuation of others up to four years).

- 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.*

- 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.*

Requires an additional general fund appropriation to offset potential lost revenue collections noted in revenue section above.

Name: Laura Glatt

Agency: ND University System Office

Telephone: 701-328-4116

Date Prepared: 01/15/2013

FISCAL NOTE
Requested by Legislative Council
01/11/2013

Bill/Resolution No.: SB 2148

- 1 A. **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.*

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	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
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Expenditures						
Appropriations			\$65,000		\$180,000	

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Cities			
School Districts			
Townships			

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- 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.*

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- 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.*

- 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.*

Requires an additional general fund appropriation to offset potential lost revenue collections noted in revenue section above.

Name: Laura Glatt

Agency: ND University System Office

Telephone: 701-328-4116

Date Prepared: 01/15/2013

13.0389.01001
Title.02000

Adopted by the Education Committee

January 30, 2013

VR
1/30/13

PROPOSED AMENDMENTS TO SENATE BILL NO. 2148

Page 1, line 10, after "school" insert "in North Dakota"

Page 1, line 21, after "shall" insert "adopt rules to implement the program and"

Renumber accordingly

2148

Date: 1-26-13
Roll Call Vote #: 1

2013 SENATE STANDING COMMITTEE
ROLL CALL VOTES

BILL/RESOLUTION NO.

Senate Education Committee

Check here for Conference Committee

Legislative Council Amendment Number

13,0389 01001

Action Taken

do pass on Luick amendment

Motion Made By

Luick

Seconded By

Schaible

Senators	Yes	No	Senator	Yes	No
Chairman Tim Flakoll	✓		Senator Joan Heckaman	✓	
Vice Chairman Donald Schaible	✓		Senator Richard Marcellais	✓	
Senator Larry Luick	✓				
Senator Nicole Poolman	✓				

Total (Yes) 6 No 0

Absent _____

Floor Assignment _____

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

2148

Date: 1-30-13
Roll Call Vote #: 2

2013 SENATE STANDING COMMITTEE
ROLL CALL VOTES

BILL/RESOLUTION NO.

Senate Education Committee

Check here for Conference Committee

Legislative Council Amendment Number 13,0389,01001

Action Taken Do pass as amended + re-referred to approps

Motion Made By Luick Seconded By Heckaman

Senators	Yes	No	Senator	Yes	No
Chairman Tim Flakoll		✓	Senator Joan Heckaman	✓	
Vice Chairman Donald Schaible	✓		Senator Richard Marcellais	✓	
Senator Larry Luick	✓				
Senator Nicole Poolman	✓				

Total (Yes) 5 No 1

Absent 0

Floor Assignment Luick

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

REPORT OF STANDING COMMITTEE

SB 2148: Education Committee (Sen. Flakoll, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS and BE REREFERRED to the Appropriations Committee (5 YEAS, 1 NAYS, 0 ABSENT AND NOT VOTING). SB 2148 was placed on the Sixth order on the calendar.

Page 1, line 10, after "school" insert "in North Dakota"

Page 1, line 21, after "shall" insert "adopt rules to implement the program and"

Renumber accordingly

2013 SENATE APPROPRIATIONS

SB 2148

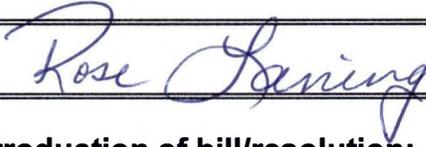
2013 SENATE STANDING COMMITTEE MINUTES

Senate Appropriations Committee Harvest Room, State Capitol

SB 2148
February 8, 2013
Job # 18567

Conference Committee

Committee Clerk Signature



Explanation or reason for introduction of bill/resolution:

A bill relating to North Dakota foster care scholarships

Minutes:

Testimony # 1

Legislative Council - Adam Mathiak
OMB - Tammy Dolan

Chairman Holmberg opened the hearing on SB 2148, a rereferal from Education. All committee members were present.

Senator Judy Lee, District 13, testified in support of SB 2148.

She explained the foster care system and the fact that foster kids age out of the program on their eighteenth birthday. This bill creates a program that would set aside a scholarship for kids aging out of foster care. It would be a North Dakota student from a North Dakota high school. She read comments from Tara Mulhauser, a former foster kid and present social worker.

Chairman Holmberg said that in there other scholarship programs they have exemptions for students that live in ND but go to high school in bordering states. This will go to a subcommittee and it will be looked at and it is his hope that they will apply the same exemption as other scholarship programs.

Senator Lee said that she would be very supportive of that. Her original goal is to serve kids in the ND foster care system.

Chairman Holmberg replied that might cover it.

Vice Chairman Bowman asked if currently there are no scholarships available to foster kids if they graduate from high school in North Dakota.

Judy Lee said that others could answer that better but there are scholarships available to kids with all sorts of criteria. She said that if the kids knew that if they remained in the foster care program and graduated from high school, they might have an opportunity at a

Senate Appropriations Committee
SB 2148
February 8, 2013

scholarships, it could make a difference. Between now and next session we will know the demand and see the results if it is working.

Vice Chairman Bowman asked if there was anything in the bill that would follow this up with an evaluation of its successfulness.

Judy Lee replied that she would be receptive to that idea. She added that we all want to know if there is a return on investment.

Senator Warner asked what the maximum amount of time a child can stay in foster care system.

Judy Lee replied that at the age of 18 they don't have to stay in foster care but there are transitional services until the age of 21.

Jack McDonald (Lobbyist # 304) representing the state association of none public schools testified in favor of SB 2148

He strongly encouraged the use of language that included students with a North Dakota resident but are going to a high school out of state. He gave an example of students from Grand Forks that go to St. James School in East Grand Forks. It is his understanding that the subcommittee would take care of that amendment if needed and he urges that.

Opposing testimony

Laura Glatt, Vice Chancellor for Administrative Affairs, NDUS testified against SB 2148 because it is not fully funded.

Written testimony # 1

Chairman Holmberg asked if she had testify before the Education committee.

Laura Glatt said that she did and it was virtually the same testimony with one exception being some numbers in the fiscal note.

Chairman Holmberg said that it was suggested they provides X number of scholarships.

Senator Warner asked if the money was appropriated would it be in human services or education system.

Laura Glatt replied that they were flexible. She does see the value of having it in the Foster Care Unit so they can coordinate all the resource for those individual in one location. They are open to whatever is decided.

Chairman Holmberg said that he sent that bill up to NDUS to look at because he had the same question.

Vice Chairman Bowman asked if they had a tracking system for evaluation of these students.

Senate Appropriations Committee

SB 2148

February 8, 2013

Laura Glatt said that they have the capability to do the tracking but there are restrictions on student privacy issues. She said they would have to be careful.

Chairman Holmberg closed the hearing on SB 2148.

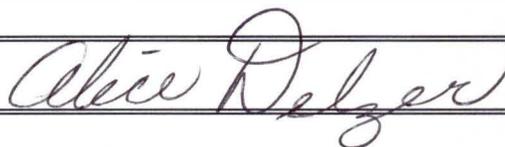
2013 SENATE STANDING COMMITTEE MINUTES

Senate Appropriations Committee Harvest Room, State Capitol

SB 2148 Subcommittee
02-19-2013
Job # 19158

Conference Committee

Committee Clerk Signature



Explanation or reason for introduction of bill/resolution:

A Subcommittee hearing on SB 2148 relating to ND foster care scholarships.

Minutes:

You may make reference to "attached testimony."

Chairman Holmberg called the subcommittee hearing to order at 9:00 am on Tuesday, February 19, 2013 in regards to SB 2148. Members present are: Senator Wanzek, Senator Erbele, Senator Krebsbach, and Senator Robinson. Brady Larson from Legislative Council and Tammy R. Dolan from OMB were also present.

Chairman Holmberg: stated Laura Glatt from the NDUS office testified on this. It's a \$65,000 movement from other funds to general fund and it's for those students that voluntarily remain in foster care and attend college full-time. You had a chance to think about this. What do you recommend we do with 2148? We had the testimony.

Senator Krebsbach: I think this is an ok bill to look at. These children reach the age of 18 that have been in foster care and many times the next step for them is so vital and if we can give them some assistance to move on in life I think that really behooves us to do something for them.

Chairman Holmberg: Is this not a situation where they might be in a very good relationship in the foster home but they don't have an advocate from their family because they are in foster care. So you will recommend that the full committee do pass 2148.

Senator Krebsbach recommended a Do pass back to the committee.

Chairman Holmberg: asked for a voice vote from the subcommittee. It passed and will go back to the full committee.

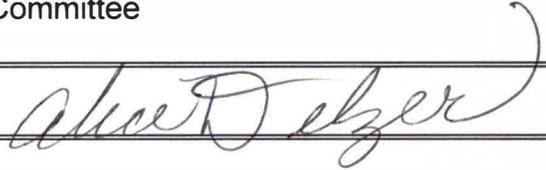
2013 SENATE STANDING COMMITTEE MINUTES

Senate Appropriations Committee Harvest Room, State Capitol

SB 2148
02-20-2013
Job # 19231

Conference Committee

Committee Clerk Signature



Explanation or reason for introduction of bill/resolution:

A BILL regarding ND Foster Care Scholarships (Do Pass.)

Minutes:

You may make reference to "attached testimony."

Chairman Holmberg called the committee to order on Wednesday, February 20, 2013. All committee members were present. He mentioned we were going to pass this bill in our subcommittee.

Senator Wanzek moved a Do Pass. 2nd by Senator Mathern.

Chairman Holmberg: We have a Do Pass on 2148. 2148 relates to people who are in the foster care system and they have fallen through the cracks and we felt it was an issue that should continue to go forward. We have a motion and a second. Will you call the roll on a Do Pass on 2148.

A Roll Call vote was taken. Yea:13; Nay: 0. Absent:0. Senator Wanzek will carry the bill.

The hearing was closed on SB 2148

FISCAL NOTE
Requested by Legislative Council
01/11/2013

Amendment to: SB 2148

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Requires an additional general fund appropriation to offset potential lost revenue collections noted in revenue section above.

Name: Laura Glatt

Agency: ND University System Office

Telephone: 701-328-4116

Date Prepared: 01/15/2013

FISCAL NOTE
Requested by Legislative Council
01/11/2013

Bill/Resolution No.: SB 2148

- 1 A. **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.*

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Name: Laura Glatt

Agency: ND University System Office

Telephone: 701-328-4116

Date Prepared: 01/15/2013

Date: 2-20-13

Roll Call Vote # 1

2013 SENATE STANDING COMMITTEE
ROLL CALL VOTES

BILL/RESOLUTION NO. 2148

Senate Appropriations Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken DP

Motion Made By Wanzek Seconded By Mather

Senators	Yes	No	Senator	Yes	No
Chariman Ray Holmberg	✓		Senator Tim Mather	✓	
Co-Vice Chairman Bill Bowman	✓		Senator David O'Connell	✓	
Co-Vice Chair Tony Grindberg	✓		Senator Larry Robinson	✓	
Senator Ralph Kilzer	✓		Senator John Warner	✓	
Senator Karen Krebsbach	✓				
Senator Robert Erbele	✓				
Senator Terry Wanzek	✓				
Senator Ron Carlisle	✓				
Senator Gary Lee	✓				

Total (Yes) 13 No _____

Absent _____

Floor Assignment Wanzek

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

REPORT OF STANDING COMMITTEE

SB 2148, as engrossed: Appropriations Committee (Sen. Holmberg, Chairman)
recommends **DO PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING).
Engrossed SB 2148 was placed on the Eleventh order on the calendar.

2013 HOUSE EDUCATION

SB 2148

2013 HOUSE STANDING COMMITTEE MINUTES

House Education Committee
Pioneer Room, State Capitol

SB 2148
March 19, 2013
Job 20180

Conference Committee



Minutes:

Chairman Nathe: Open the hearing on SB 2148.

00:27 Senator Lee, District 13: Passed out testimony of Tara Lea Muhlhauser. See attachment 1. Explained the bill. It is to provide scholarships for kids who are aging out of foster care. These kids don't have the resources or skills to get established in something that would carry them on beyond high school. This is intended to allocate some of those scholarship dollars that are available in the state for kids who are aging out of foster care, who have graduated from a ND high school, and would be enrolled full time in one of our educational institutions and keep a GPA of 2.75. These youth and young adults deserve our attention and resources to assist them with creating a path to their future as citizens of the state.

6:35 Representative Meier: Do you know how many foster children we have in the state?

Senator Lee: We have no accurate number because records aren't kept that way necessarily. I do have a number but left it behind.

Representative Meier: Will this be a first-come first-serve basis? How would you distribute these scholarships?

Senator Lee: The Board of Higher Education would lay out the procedure/rules.

Chairman Nathe: Why offer this foster care?

Senator Lee: It seems appropriate. If we let these people know we recognize them because they have challenges beyond the ordinary family living student has, it might be an incentive for them.

9:47 Representative Heilman: Is it your intent that if they qualified for the academic based scholarship and this they would get both?

Senator Lee: This wouldn't preclude anyone from applying for other scholarships as well.

Representative Heilman: Noted to the committee about Fiscal note section 3.

10:30 Representative Koppelman: Page 1, line 7, if someone over the age of 18 voluntarily stays in, do those foster parents continue to get paid for providing foster care?

Senator Lee: Everyone ages out at 18 but if they wish to make use of some of the additional services they can totally volunteer. The Department of Human Services would look at and address.

12:33 Representative Koppelman: This is designed to encourage a person to go to school rather than stay in the foster care system. Is that individual who has probably been in the foster care system a long time, how do they determine their scholarships eligibility on things that are based on income?

Senator Lee: That's why the rules of the university system would probably be developing but I would anticipate that they wouldn't look at the foster care family's income.

13:37 Chairman Nathe: Are there any who voluntarily remain in foster care?

Senator Lee: No.

14:51 Representative Kelsh: According to the Fiscal note, this is a waiver rather than a scholarship. There are no appropriations on the bill. Would that mean that this has to go to Appropriations to provide the money?

Senator Lee: That was done in the Senate committee, which is not my committee that heard it.

16:17 Representative Koppelman: This Fiscal note says unfunded scholarship mandate. The way I read the bill there is no limit to the number of students that participate but a limit to how much money the legislature takes in and rest would have to be treated as a waiver by the colleges.

Senator Lee: I can't recall the details but I can get that information for you.

17:42 Chairman Nathe: Any opposition to SB 2148?

18:02 Laura Glatt, Vice Chancellor for Administrative Affairs, ND University System Office: See attachment 2. I'm here in opposition to this bill unless it is amended to include additional state funding to support its cost.

20:27 Representative Meier: How would this program be distributed and added additional funding to it? Is this first-come, first-serve or based upon GPA?

Senator Lee: We haven't gotten that far in our thinking in discussion yet. It depends in part if the bill were passed in its present form and there were no funding in the bill

we would have to treat that as a waiver. Since there are no ties to financial need or academic ability in the bill, it would likely be a first-come first-serve.

22:17 Representative Kelsh: You talked about scholarships are considered for financial aid purposes. Would this reduce then other scholarships available for other students?

Senator Lee: If you weren't to fund this program, we would be doing is foregoing revenue that we would otherwise collect from some of these individuals.

23:39 Representative Rust: Paragraph 4 of your testimony, for that particular foster student it's possible that if they got this scholarship that they may have some other grant aid reduced by a similar amount?

Senator Lee: That's possible, yes.

Representative Rust: In the next paragraph, this program really isn't needed?

Senator Lee: That's been the experience of our campuses now. We must recognize the fact that foster care students or any student has other living expenses that they have to cover while they are attending college.

25:02 Representative Hunsakor: Are the federal programs secured or would that dry up and be a need in the future?

Senator Lee: The federal funding for scholarships is always at risk.

25:44 Representative Meier: Do we know how many students take opportunity of your federal grants of the foster kids per year? Does the Board of Higher Ed keep any records?

Senator Lee: Are you talking specifically about the Chaffee program? I believe that Human Services folks will know the Chaffee program statistics.

26:20 Representative Rust: The Fiscal note talks about unfunded scholarship mandate. Are there other state mandates of unfunded scholarships?

Senator Lee: There are currently statutes on the books that require us to waive tuition for certain subsets of students.

27:28 Representative Heller: In paragraph 4 is there any way we could find out if that's really true or which ones would be and by how much so we know what we are talking about?

Senator Lee: It's difficult because every grant program has different stipulations and rules and every individual applicant depending on their circumstances the outcome can be very different.

28:44 Representative Meier: Did you testify in opposition to this bill on the Senate side?

Senator Lee: I testified both in Senate Education and Senate Appropriations basically the same testimony in support of the concept that would certainly ask for funding to support the program.

Chairman Nathe: Any opposition to SB 2148?

29:29 Dean Sturm, Foster Care Administrator, Department of Human Services: No written testimony but provided clarification to some questions asked. We have 1100 foster care children daily. We have an 18+ voluntary program. We put it in the Century Code 47-20 which is the Uniform Juvenile Court Act. This allowed North Dakota to draw federal "E" dollars for that care rather than using general funds. We have 30 youth who volunteered to stay in care over the age of 18. Reduction for youth could happen. The federal program mentioned is up to \$5,000 a year, \$2,500 per semester, with a maximum of \$20,000 lifetime. In 2012 41 individuals were served with this. In 2011 45 youth received 59 scholarships. In 2010 42 youth received 58 scholarships. We have a number of states who do offer waivers who are aging out or remaining in foster care.

36:41 Chairman Nathe: Where is there a difference from what you mentioned regarding the number of students receiving scholarships the past few years compared to the Fiscal note?

Dean Sturm: That has to do with children who voluntarily remain in care past the age of 18. This federal program doesn't apply to children who voluntarily stay there.

37:28 Representative Wall: Could you tell me how long the Chaffee program has been in existence?

Dean Sturm: Since 2004.

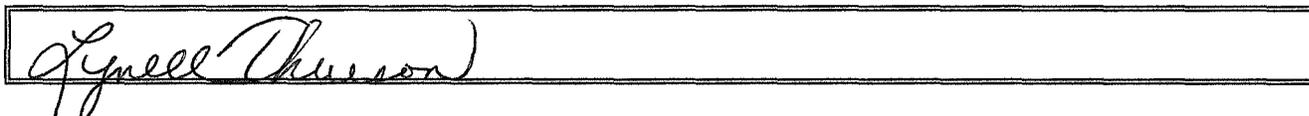
Chairman Nathe closed the hearing on SB 2148.

2013 HOUSE STANDING COMMITTEE MINUTES

House Education Committee
Pioneer Room, State Capitol

SB 2148
March 25, 2013
Job 20390

Conference Committee



Minutes:

Chairman Nathe: Opened the meeting on SB 2148 dealing with foster care scholarships.

00:41 Representative Heller: Is this bill necessary? If we offer this scholarship it could do reduce other forms of grants.

1:35 Representative Meier: I think there could be some consequences. Quite a few individuals take advantage of the federal scholarship dollars that are already granted.

2:44 Representative Heller: I moved a Do Not Pass on SB 2148. Seconded by Representative Koppelman.

A Do Not Pass Roll Call vote was taken.

Yes = 10

No = 3

Absent = 0

Carrier: Representative Heller.

Chairman Nathe adjourned the meeting.

FISCAL NOTE
Requested by Legislative Council
01/11/2013

Amendment to: SB 2148

- 1 A. **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.*

	2011-2013 Biennium		2013-2015 Biennium		2015-2017 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues				\$(65,000)		\$(180,000)
Expenditures						
Appropriations			\$65,000		\$180,000	

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

	2011-2013 Biennium	2013-2015 Biennium	2015-2017 Biennium
Counties			
Cities			
School Districts			
Townships			

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

Provides a \$1,500 annual scholarship to individuals who voluntarily remain in foster care after age 18 and attend college full-time.

- 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.*

Mandates an unfunded scholarship, thereby reducing current campus revenue collections. Additional state general fund appropriation would be required to cover the cost of the scholarship.

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.*

Unfunded scholarship mandate would essentially be a waiver, thereby reducing campus revenue collections by about \$65,000 in 13-15, based on estimated participation of 15 new students per year (and continuation of others up to four years), and by about \$180,000 in the 15-17 biennium, based on estimated participation of about 25 new students per year (and continuation of others up to four years).

- 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.*

- 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.*

Requires an additional general fund appropriation to offset potential lost revenue collections noted in revenue section above.

Name: Laura Glatt

Agency: ND University System Office

Telephone: 701-328-4116

Date Prepared: 01/15/2013

FISCAL NOTE
Requested by Legislative Council
01/11/2013

Bill/Resolution No.: SB 2148

- 1 A. **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.*

	2011-2013 Biennium		2013-2015 Biennium		2015-2017 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues				\$(65,000)		\$(180,000)
Expenditures						
Appropriations			\$65,000		\$180,000	

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

	2011-2013 Biennium	2013-2015 Biennium	2015-2017 Biennium
Counties			
Cities			
School Districts			
Townships			

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

Provides a \$1,500 annual scholarship to individuals who voluntarily remain in foster care after age 18 and attend college full-time.

- 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.*

Mandates an unfunded scholarship, thereby reducing current campus revenue collections. Additional state general fund appropriation would be required to cover the cost of the scholarship.

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

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- 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.*

- 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.*

Requires an additional general fund appropriation to offset potential lost revenue collections noted in revenue section above.

Name: Laura Glatt

Agency: ND University System Office

Telephone: 701-328-4116

Date Prepared: 01/15/2013

Date: 3/25/13

Roll Call Vote #: 1

2013 HOUSE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. 2148

House EDUCATION Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken: Do Pass Amended Rerefer to Appropriations
 Do Not Pass Adopt Amendment

Motion Made By Rep. Heller Seconded By Rep. Koppelman

Representatives	Yes	No	Representatives	Yes	No
Chairman Mike Nathe	✓		Rep. Bob Hunsakor	✓	
Rep. Mike Schatz	✓		Rep. Jerry Kelsh		✓
Rep. Joe Heilman		✓	Rep. Corey Mock		✓
Rep. Brenda Heller	✓				
Rep. Dennis Johnson	✓				
Rep. Ben Koppelman	✓				
Rep. Lisa Meier	✓				
Rep. Karen Rohr	✓				
Rep. David Rust	✓				
Rep. John Wall	✓				

TOTAL (YES) 10 (NO) 3 (ABSENT) 0

FLOOR ASSIGNMENT Rep. Heller

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

REPORT OF STANDING COMMITTEE

SB 2148, as engrossed: Education Committee (Rep. Nathe, Chairman) recommends DO NOT PASS (10 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING).
Engrossed SB 2148 was placed on the Fourteenth order on the calendar.

2013 TESTIMONY

SB 2148

#1

**Testimony
Senate Bill 2148
Senate Education Committee
Senator Tim Flakoll, Chairman
January 28, 2013**

Good afternoon Chairman Flakoll and members of the committee. My name is Tara Lea Muhlhauser. I've been a child welfare professional in ND and several other states for the past thirty years working with foster youth. I'm also the past state child welfare director for North Dakota. I'm not able to be with you today for this hearing and apologize that I cannot present my testimony in person.

Foster youth come into care because their parents and caregivers are either not able to care for them or harm them, creating a need to place the youth in foster care to maintain their safety. Their needs, when placed in care are great; needs for safety, security, and well-being. Because of the disruption of moves and changes they face when placed in foster care, their educational trajectory can also be a story of disruption and academic struggle.

Yes, amazingly, foster youth have tremendous resilience to grow and thrive when given the opportunity to have stability and security. This legislation provides this population with opportunities to create a brighter future in the workforce of our state. Essentially, these scholarships would be an investment to build a path to the workforce for this vulnerable population. For these young adults, it is a tangible sign that citizens of the state are willing to put forward resources to assist them in establishing themselves as adults in the academic world and workforce.

Doing so provides these youth and young adults with hope, security and opportunity for a brighter future.

As research indicates (the seminole research is that of Casey Family Programs Alumni Study, updated in their 2011 survey) this group of youth is very vulnerable. Without supports and resources to assist them as they age out of the child welfare system they have a rocky road moving into young adulthood. They face high rates of homelessness, depression and other psychiatric disorders, and struggle financially. As we all know from our formative experiences as young adults, we needed hope, security and a safety net of resources; most of us had parents and relatives who provided this for us.

These youth need us as a community to provide this as an investment in their future. While there are current programs that provide federal support to this population, providing scholarships would have the advantage of assisting youth in planning for their future and the education they need to reach for their dreams. As a social worker, I have heard many foster youth tell me they wanted to be doctors. For a sixteen year old living in a facility this might seem like a grandiose goal. But, consider the possibilities. They should have the opportunities we had as youth to know that if you work hard you can make your dream happen, rather than to let your opportunities be framed by your family circumstance.

We know that education provides a brighter future. These youth and young adults deserve our attention and resources to assist them with creating a path to their future as citizens of the state.

Thank you, and if you have questions for me, I would be pleased to provide a response or additional information for you to consider.

#2

North Dakota University System
SB2148 – Senate Education Committee
1/28/13, Laura Glatt

Mr. Chairman, members of the Senate Education Committee. Good morning. My name is Laura Glatt, Vice Chancellor for Administrative Affairs, North Dakota University System. I appear today in opposition to the bill, unless it is amended to include additional state funding to support its cost. I would also like to offer an amendment which I will address later in my testimony.

SB2148, would mandate a scholarship of \$750 per semester for individuals who voluntarily remain in foster care after age eighteen and attend college full-time. However, no funding is provided in the bill to cover the cost of the scholarship. Thus, we would ask that you amend the bill to include a general fund appropriation to cover the cost of the scholarship.

The ND Department of Human Services estimates that about 15 individuals over age eighteen annually volunteer to remain in foster care. If these individuals all take advantage of the scholarship the estimated loss of revenue to the NDUS in the 13-15 biennium is \$65,000, but is expected to grow to in excess of \$200-250,000+ when fully implemented.

It should be noted that a “scholarship” is considered a resource for financial aid purposes. A scholarship would not cause a student to become ineligible for a federal Pell grant, but could reduce other forms of grant aid.

In addition to being eligible for federal Pell and SEOG grants, foster care children also have access to a special federal program to assist foster care children who wish to pursue their education and training after high school. The Chaffee Education and Training Grant Program provides up to \$5,000 per year or \$20,000 over their lifetime. It is our experience that with this added program, most, if not all, of the cost of education for foster care children is covered through existing federal and state financial aid sources.

Lastly, with all new programs there are many detailed eligibility and administrative rules that need to be defined. For example, how many credits must a student complete each term to remain eligible; is there a probationary period for not meeting either credit hour or GPA requirements; and, what documentation is required, etc. Instead of trying to anticipate and define these details in the legislation we would ask that you consider amending the bill to provide the NDUS with the authority to adopt rules for program administration so that all students are treated fairly. This rule-making authority has been provided for several other programs. I have noted a suggested amendment below.

Thank you for your consideration of this change, and I would be happy to answer any questions.

Page 1, line 21, after “shall” insert “adopt rules to implement the program and”

#1

January 28, 2013

PROPOSED AMENDMENTS TO SENATE BILL NO. 2148

Page 1, line 8, after "eighteen" insert "or any individual having legal guardianship in North Dakota"

Page 1, line 10, after "school", insert "in North Dakota"

Page 1, line 21, after "shall", insert "adopt rules to implement the program and"

Renumber Accordingly

Laura Glatt
2-8-13 SB2148 #1

North Dakota University System

SB2148 - Senate Appropriations Committee

2/7/13, Laura Glatt

Mr. Chairman, members of the Committee. My name is Laura Glatt, Vice Chancellor for Administrative Affairs, North Dakota University System. I appear today in opposition to the bill, unless it is amended to include additional state funding to support its cost.

SB2148, would mandate a scholarship of \$750 per semester for individuals who voluntarily remain in foster care after age eighteen and attend college full-time. However, no funding is provided in the bill to cover the cost of the scholarship. Thus, we would ask you amend the bill to include a general fund appropriation to cover the cost of the scholarship.

The ND Department of Human Services estimates that about 25-30 individuals over age eighteen annually volunteer to remain in foster care. It is estimated that between 10-15 of these eligible students would take advantage of the scholarship. The estimated loss of revenue to the NDUS in the 13-15 biennium is \$65,000, but is expected to grow to in excess of \$150,000+ when fully implemented.

It should be noted that a "scholarship" is considered a resource for financial aid purposes. A scholarship would not cause a student to become ineligible for a federal Pell grant, but could reduce other forms of grant aid.

In addition to being eligible for federal Pell and SEOG grants, foster care children also have access to a special federal program to assist foster care children who wish to pursue their education and training after high school. The Chaffee Education and Training Grant Program provides up to \$5,000 per year or \$20,000 over their lifetime. It is our experience that with this added program, most, if not all, of the cost of education for foster care children is covered through existing federal and state financial aid sources.

Thank you for your consideration of this change, and I would be happy to answer any questions.

Testimony
Senate Bill 2148
House Education Committee
Representative Mike Nathe, Chairman
March 18, 2013

Good afternoon Chairman Nathe and members of the committee. My name is Tara Lea Muhlhauser. I've been a child welfare professional in ND and several other states for the past thirty years working with foster youth. I'm also the past state child welfare director for North Dakota. I'm not able to be with you today for this hearing and apologize that I cannot present my testimony in person.

Foster youth come into care because their parents and caregivers are either not able to care for them or harm them, creating a need to place the youth in foster care to maintain their safety. Their needs, when placed in care are great; needs for safety, security, and well-being. Because of the disruption of moves and changes they face when placed in foster care, their educational trajectory can also be a story of disruption and academic struggle.

Yes, amazingly, foster youth have tremendous resilience to grow and thrive when given the opportunity to have stability and security. This legislation provides this population with opportunities to create a brighter future in the workforce of our state. Essentially, these scholarships would be an investment to build a path to the workforce for this vulnerable population. For these young adults, it is a tangible sign that citizens of the state are willing to put forward resources to assist them in establishing themselves as adults in the academic world and workforce.

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These youth need us as a community to provide this as an investment in their future. While there are current programs that provide federal support to this population, providing scholarships would have the advantage of assisting youth in planning for their future and the education they need to reach for their dreams. As a social worker, I have heard many foster youth tell me they wanted to be doctors. For a sixteen year old living in a facility this might seem like a grandiose goal. But, consider the possibilities. They should have the opportunities we had as youth to know that if you work hard you can make your dream happen, rather than to let your opportunities be framed by your family circumstance.

We know that education provides a brighter future. These youth and young adults deserve our attention and resources to assist them with creating a path to their future as citizens of the state.

Thank you, and if you have questions for me, I would be pleased to provide a response or additional information for you to consider.

North Dakota University System
Engrossed SB2148 – House Education Committee
3/18/13, Laura Glatt

Mr. Chairman, members of the Committee. My name is Laura Glatt, Vice Chancellor for Administrative Affairs, North Dakota University System. I appear today in opposition to the bill, unless it is amended to include additional state funding to support its cost.

Engrossed SB2148, would mandate a scholarship of \$750 per semester for individuals who voluntarily remain in foster care after age eighteen and attend college full-time. However, no funding is provided in the bill to cover the cost of the scholarship. Thus, we would ask you amend the bill to include a general fund appropriation to cover the cost of the scholarship.

The ND Department of Human Services estimates that about 25-30 individuals over age eighteen annually volunteer to remain in foster care. It is estimated that between 10-15 of these eligible students would take advantage of the scholarship. The estimated loss of revenue to the NDUS in the 13-15 biennium is \$65,000, but is expected to grow to in excess of \$150,000+ when fully implemented.

It should be noted that a “scholarship” is considered a resource for financial aid purposes. A scholarship would not cause a student to become ineligible for a federal Pell grant, but could reduce other forms of grant aid.

In addition to being eligible for federal Pell and SEOG grants, foster care children also have access to a special federal program to assist foster care children who wish to pursue their education and training after high school. The Chaffee Education and Training Grant Program provides up to \$5,000 per year or \$20,000 over their lifetime. It is our experience that with this added program, most, if not all, of the cost of education for foster care children is covered through existing federal and state financial aid sources.

Thank you for your consideration of this change, and I would be happy to answer any questions.