

2017 HOUSE EDUCATION

HB 1337

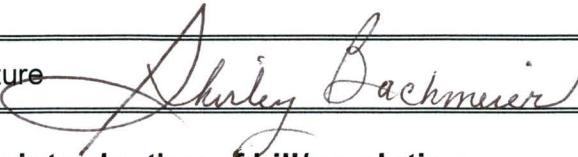
2017 HOUSE STANDING COMMITTEE MINUTES

Education Committee
Coteau A Room, State Capitol

HB 1337
1/25/2017
27387

- Subcommittee
 Conference Committee

Committee Clerk Signature



Explanation or reason for introduction of bill/resolution:

Relating to require reading of historical documents.

Minutes:

Attachment 1-3

Madam Chairman Schreiber-Beck: Called meeting to order; roll called, all present. We are starting with HB 1337; Rep. Schatz is here to present this bill.

Rep. Schatz: District 36 from New England. (Attachment 1) for testimony. (0:01:14-0:03:29) I am open for questions.

Rep. Rich S. Becker: I don't think I could agree more with which you just stated. What is being taught currently at the high school level relative to these documents? Do some schools put a lot of emphasis on this and others that don't pay any attention?

Rep. Schatz: As a Social Studies, I know we have guidelines to which we are supposed to teach. Also knowing that I know what was taught and what often times wasn't. It all depends on the individual teacher. Some are going to cover it extensively, others are not. This bill puts some emphasis on it and that way the ones that are not covering it would make an attempt to cover it.

Rep. Rich S. Becker: It doesn't look like this will have the teeth to require these subjects to be taught. Some instructors will spend some time on it; others more time. It's hard to legislate, but is there more of an emphasis that these subjects will be taught to this depth of theory?

Rep. Schatz: Putting some kind of teeth in it would mean some kind of penalty to insure that it is being done, I don't know exactly how that would be done. I don't really have a plan for a penalty if they didn't do it.

Rep. Dennis Johnson: When you were teaching, was this part of your program? In visiting your colleagues in other schools, do you find many of them teaching this way or do we have to pass legislation to encourage them to teach it.?

Rep. Schatz: We hit the high points of it; we studied federalist papers and the people that wrote them and what their thinking was behind them. I emphasize that portion of my teaching especially the Constitution. You had to delve into the whys in the Constitution which was the best avenue to do it. We were not often together talking about what and why we were teaching. That was my loss as I loved to have sessions such as these. I would say most do not put emphasizes on this way of teaching.

Madam Chairman Schreiber-Beck: Other questions for Representative Schatz. How much time did you spend on the federalist papers as part of your course work? I am assuming that it was a year-long course.

Rep. Schatz: The amount of time I spent on the constitution was a month and a half with a 50-minute time period. We did 85 essays during that time. When I put this bill up I thought it would be a good idea to read through these again. I am reading a book on tape; I am having more fun rediscovering things. You could parcel that out every day into a History or Government class. I think it would do the kids a great deal of good.

Madam Chairman-Schreiber-Beck: The time frame was over a month of 50 minute periods?

Rep. Schatz: I am thinking a month, and a half as 50-minute time periods.

Madam Chairman- Schreiber-Beck: Those in favor of HB 1337?

Rep. Carlson: 11:38 A long time ago I was a history teacher. With interest, I listen to The Man on the Street once in a while. When the kids can't answer and the general public can't answer the most basic questions regarding what they should have gained in school, you have to ask yourself, why this loss of vital teaching? I believe that it is impossible to know where you are going if you don't know where you've been. The foundation of the Constitution of the United States came from the federalists. That's what they wrote it from. We require basics, and we want test scores higher, we spend more for education every year, but we haven't seen a rise in our test scores at the same rate. What are some of the important things you should have learned when they're out of high school? And what should have prepared you to live in a democracy, a representative republic? And this is one of them. This is not very specific, and you need to cover this information. There are statutes that require certain subjects as you go through. This would be an addition to call out, understanding government. If the kids who come here to the Capital and view our committee structure and that is the first time discussed, how would we do business? When does a bill become a law? I think this is a necessary part to bring to light the separations of powers, and the powers reserved. If you ask most kids today who has the final say on the budget of the US; what would be the answer? They would probably say Donald Trump or Governor Burgum at the state level. It has not been properly explained to them along the way. I am sure some teachers are exceptional at doing it. I think this is a valuable thing that we have requirements for our kids.

Madam Chairman-Schreiber: Ask for testimony.

Rep. Andrew Marschall: When I was in school, I was getting the constitutional laws in the fifth and 6th grade. Does this have to be in high school to get this done or can they start in junior high?

Rep. Carlson: It would be taught at a more sophisticated level when in high school but it should be taught all along the way but I don't have the break down on the when and where's of that. I want our kids to come out smarter than when they went in and I wanted to make sure they understand how the world really works. It is very important to understand the difference of what a democracy does, a representative republic than what a country like Russia does. And it should be taught at all levels.

Chairman- Mark S. Owens: You referenced a class called problems of democracy. When I got there, that class was not in existence. When I came to legislature, it was added later. Have we created this problem ourselves by adding it in lieu of state government and economics that was the requirement before? And now we have added an or with problems of democracy.

Rep. Carlson: 17:33 I've always thought it was an odd name because I always thought it was a privilege, not a problem, what we have as our government.

Madam Chairman- Schreiber-Beck: Any other questions? I have one. When you were in high school, did you cover the federalist papers?

Rep. Carlson: I can't remember but I do know he was very good at teaching government. The reason why the federalist's papers are in here is because they are the backbone of everything. There is a solution in there and that is how they solved the problem and how this democracy/republic was put together. These key things, we need to know that.

Madam Chairman- Schreiber-Beck: Any others in support of HB 1337? Any in opposition to 1337?

Russ Ziegler: Ass't. Director for the ND Council for Educational Leaders: see attachment 2 for testimony in opposition to HB 1337. 20:25 - 0.22.32 In response to Rep. Carlson's statement re: The Man on the Street, I am sure these do not represent students in North Dakota. How many of those know the right answer but do not end up on television because they are looking for those who give the wrong answer. We respectfully ask a do not pass on HB 1337. I will answer any questions you may have.

Madam Chairman- Schreiber-Beck: Any questions for Mr. Ziegler?

Rep. Brandy Pyle: How often are these standards updated? This one is 10 years ago.

Russ Ziegler: 23:29 There isn't a definite time line when they are updated. In the past few years we have been focusing on English and math and others have been put on the back burner until we can get those situated. Then we will pick up on the other standards.

Rep. Brandy Pyle: How long does it take to review the standards? Is it a year process?

Russ Ziegler: It depends upon the subject area. In my experiences it has taken over a year to get it right.

Madam Chairman- Schreiber-Beck: Any other questions of Mr. Ziegler?

Rep. Rich S. Becker: 24:43 I just wanted to make sure when I was questioning Rep. Schatz, I was no way inferring the use of penalties. I want to correct that concern. My second point was, there are standard tests that are given at various increments. You know fairly quickly if they have learned their mathematics and whatever. I do believe our students in North Dakota are probably at the very top or near the top in most standards. We have great teachers, we have a good educational system so I am not questioning that. It's not just stopping people in the street to see who people are and what they know. I think it is much deeper than that. I think we have a very serious problem in this country with our young people. I do feel like we have a very significant lack of understanding of how our government works, how our government is made up; who has the powers for this? By drawing attention to it by what this bill is attempting to do is a good thing. At what levels do we test our students currently in North Dakota for their knowledge base on government related items?

Russ Ziegler: In my opinion, "No Child Left Behind" took us a step back in other content areas beside math and English. 27:20 So social studies, there is no state test to see where the students are at and what their content knowledge is. I do agree as a nation we struggle with our young kids retained knowledge. I do believe that we are doing a pretty good job in ND in the social studies and government area.

Rep. Bill Oliver: 28:21 Superintendent Baesler knows my feelings on the classes currently being taught widely. Rep. Owens spoke my words. There are 8 high school students up there and three college students up there in the Great Hall right now that do know how a bill is formulated or passed through the House or Senate. This is a failure- a C- D, easy. This is what we have come to the way we teach this class. I apologize if I have embarrassed anybody. You say this is not necessary but I saw it today because The Man On the Street thing will work up there. What I am saying, you have not given me any reason for me to vote no on this because personal experience has shown that there is an issue.

Russ Ziegler: 30:04 My comments on No Child Left Behind was that we are not focused on social studies. The social studies teachers are still teaching the required standards. These standards are already required as the documents show so putting this in legislature is not changing anything would be my question back.

Rep. Corey Mock: 30:34 I couldn't agree more with this testimony. We could do more to make sure that students of ND have a full awareness and understanding, comprehension of public policy, of history, of government. My issue with this legislation and the original version that was passed a couple sessions ago, was the lack of comprehension, of testing, of teaching that is included in this language. Reading the constitution doesn't insure that you will understand the complexities of the constitution and all of the amendments. Is this the solution to address the problem that we know exists? In your experience, what has been done to insure that comprehension is included with the required reading of the current documents?

Russ Ziegler: That also goes back to the standards. If you turn to page 45 again in the document that you have. If you like 9,12,4,3, it says analyze the content and context of documents. It does just not say read. So the students are going to have to analyze those contents. Page 46 says evaluate the effectiveness of structures, operations, and influences of political systems. Analyze historical and contemporary examples of civil liberties. And the last one, evaluate the rights and responsibilities of citizenship and civic participation. Those are in the standards. So if the teachers are doing what the standards say they're doing, that is answering the question, Sir.

Rep. Corey Mock: 34:09 Those things are being done. The issue is, and I agree with this, that at this time the focus has been on math and English for assessment and getting data back. This bill does not have any allowance for IEP's or any special education plans. In reality, the average reading level of Americans in this country is between eighth to ninth grade. And yet, the complexity of the documents that this bill requires every student, regardless of your ability to read range from a 15 to 17 reading level. So how does a teacher accommodate this statutory requirement with students that may not be able to read or comprehend the language before them?

Russ Ziegler: Good question! A lot of that is going to fall on the IEP team to see what that student needs whether individualize education program. Some of those IEP students will not get the full breadth of what is required in this legislation.

Rep. Corey Mock: 35:35 Are we satisfying the requirement of the law by having exceptions for IEP students? The challenge that if they aren't able to read the document, are we satisfying this law?

Russ Ziegler: That would go back to what your definition of "read" is. Is that personally read it or having it read to you and still comprehend what it means.

Rep. Corey Mock: We are faced with this political pressure of people recognizing that we need to do something. We should never set up a mediocrity. I feel that complacency is doing just that. We, as the Education Committee, would be remiss if we were not doing everything in our power in addressing these needs and challenges. How can we address the political challenge of us taking action and making sure that lessons are being taught and comprehended in ND schools but do it in a way that is practical and encourages and works with teachers, school boards, with the superintendent's office so these lessons are fulfilled? How can we craft this section of law so that we are taking action but we are also giving you the latitude to teach these important lessons that are important for civics and democracy?

Russ Ziegler: Personally I feel that you as a whole and as an Education Committee have somethings you can do besides legislation to get that done. Resolutions might be a way where you can get the word out that this is important. We need to have our teachers really take a look at this and teach these things. But I think when it is already in the standards, it is redundant.

Madam Chairman- Schreiber-Beck: Additional questions. Any others in opposition to HB 1337.

Anita Thomas: General Council with ND School Board Association: Since we are talking about historical document, (Attachment 3) 41.04. Where does it stop? We would suggest very strongly that curricular decisions remain in the hands of the school boards, the administrators, the teachers, and the parents. And for this reason, the NDSBA is requesting do not pass on HB 1337.

Rep. Andrew Marschall: 41:36 I did learn all of those when I was in school, and I expanded on that in college. But I never once went through the federalist papers. They were mentioned but not once were they ever opened and presented to me. When we visit with our constituents that voted us into office, if they are telling us that they want their kid learn this stuff, we are compliant with our constituent's wishes. And that is what we are attempting to do here.

Anita Thomas: If you are complying with your constituents I commend you with that. Then I would also suggest that you work with the education organizations and the Superintendent of Public Instruction to insure that we have very strong teacher training programs, administrator programs, focus on teacher professional development and mentoring at all levels of the teacher experience. Work with us on the curriculum development, teacher evaluations. Let us work together to insure that we have the very best and strongest educational system that we can at all levels from K to grade twelve. 43:00

Madam Chairman- Schreiber-Beck: additional questions. Any opposition to HB 1337?
Neutral testimony

Kirsten Baesler: State Superintendent ND Public Instruction: 43:41 I came to answer questions that to assist the committee in making a decision. What are the requirements that a student must graduate with? See Attachment 4 for requirements. All of our students need a minimum of 22 credits to graduate from high school. We certainly not reducing the expectations our students; we are adding more with each generation. The standards first mentioned the Constitution in 5th grade. The Federalist papers are required in the standard of that 9 through 12 sequence. Rep. Becker's accountability question asked if our students are learning what they are asked to learn. In the 2015 session, a coalition was formed and co-chaired an effort to be one of the first states in the nation to require all of the students graduating from high school to pass the civics test. Last year's graduates needed to pass with a 70%; this year's is 80% pass. This year's civics test is a 100 question test that all of our new Americans must pass before they can become citizens. Before a diploma may be conferred it needs to be approved and signed by the local school board. These 100 questions do address the federalist papers, Constitution, our treasury. Passing a single test does not insure understanding, comprehension or application but I believe the 2015 Legislative Session and the testimony that I provided at that point that what is measured gets valued and gets done. We agreed and passed that requirement for our citizens. It came out strongly in that session that it was clearly the responsibility of the legislators to set the expectations for our state students but it was up to our professional teachers on how to determine whether their students were learning that. The guideline for the civics assessment are that there are certain areas where the geography teacher will be a stronger teacher of that. It isn't a single teacher's responsibility. The burden of having our citizens to grow up to be well educated and learn to govern themselves is the responsibility of our Education as a whole. Our standards in social studies are 10 years old. Our standards process takes no less than a year' generally 12-15 months to complete. Why were the social studies not revised? Because

of the controversy we had over our math and English standards. We did not know as a state where the authority would continue to lie. The last 30 years, the process of creating standards in the state of ND was left in the hands of our teachers. And our teachers gathered together. It was time for us to review our Math and English standards so the state could be supportive of our education system and that we could have ND standards in math and English that were of high expectations created by ND teachers for ND students. We began last May, 2016, and bumped our social studies and our science standards in back of math and English. The reason for the length of process is the need for transparency, involving months of hard work, writing up drafts, submitting to review committee with representatives of parents, citizens, industry, teachers for Pre K through 12 as well as university teacher; in most cases it is by the 3rd draft it is submitted for final review. No Child Left Behind absolutely was an issue; we are glad to report that it will no longer govern our schools. We have a committee meeting that has put a broader focus on a more well-rounded scope of education.

Rep. Matthew Ruby: I am looking at the standards we have on your sheet.
(Attachment 4) They aren't all covered are they? 56:22

Kirsten Baesler: Yes, standards are a guiding set of documents for teachers. They challenge the professional teacher to cover content at that grade level. 56:35

Rep. Matthew Ruby: One of them listed is the American revolution. The others tie into each other but you really hit the focus on these four.

Kirsten Baesler: Rep. Schatz 57:38 talked about that but didn't have the opportunity to get together with other social studies teachers about how best these are taught. We have had a lot of improvement in the last 10 years of making sure that teachers come together at content areas so they identify what those power standards that need to be re-introduced more than once throughout the year. I don't see a problem with identifying a core group of standards that are working toward a function of a citizen and hitting those more than once.

Madam Chairman- Schreiber-Beck: Any other questions?

Rep. Corey Mock: Understanding that there are pressures, as policy makers, we are not doing enough to insure that a high quality education is provided for ND students. From your perspective, as lawmakers, what can we do. If our ideal results are that every ND student graduates with a understanding and awareness of American democracy, including the factors laid out in this bill, what can we do legislatively to insure that happens?

Kirsten Baesler: I think that you have taken some great steps. No. 1, you have improved the civics exam as a high school graduation requirement. No. 2, Insure that we went above every state and were the second state in the nation to approve that and now they're about 18. 59:57 I am a board member of the Joe Fass Institute. It is their mission to make sure that students across this nation have a solid understanding of what it takes to be a citizen that is capable of governing themselves. They hold ND up in the fact that US legislators up the ante from a 70% pass rate to an 80% pass rate; we are the only state in the union to hold our students to the higher expectations on the civics test exam. Continue to support the opportunity for our social studies teachers to gather and improve their instructions and skills. Work with the teacher preparation program not legislatively but in your school district by

offering your time, services and expertise to be that content expert for a day working with your community's social studies teachers.

Rep. Corey Mock: 1:01:26 When you went through the standards of a 3rd grade class, can you explain or elaborate on what else is included in civic education beginning in 3rd grade?

Kirsten Baesler: Identify three branches of local government; explain the rule-making process and its purpose in the school; identify the rights, roles and responsibility of a citizen of a community: i.e. obedience to the laws, right to vote, service to the common good. In order to learn something new, you have to be able to apply it to what you are already familiar with. That is why you start with their community in which they are familiar.

Madam Chairman-Schreiber-Beck: Any other questions to Ms. Baesler? Is all the information available on the DPI web? Welcome

Kirsten Baesler: Yes, it is available in the event that you have other questions.

Madam Chairman- Schreiber-Beck: Any other neutral testimony? We will close hearing of HB1337.

2017 HOUSE STANDING COMMITTEE MINUTES

Education Committee
Coteau A Room, State Capitol

HB 1337
1/30/2017
Job 27615

- Subcommittee
 Conference Committee

Committee Clerk Signature

Explanation or reason for introduction of bill/resolution:

Relating to required reading of historical documents.

Minutes:

No attachments.

Chairman- Mark S. Owens: what is the committees wishes on HB 1337.

Vice Chairman- Cynthia Schreiber-Beck: I move a do not pass HB 1337.

Chairman- Mark S. Owens: seconded by Rep. Denton Zubke. Is there any further discussion, does anybody wish to say anything? The motion is do not pass.

Rep. Matthew Ruby: The general consensus on this bill is that it is not needed, but even Ms. Baesler did not have an issue with having a focus on these, it is in the standards I understand the no vote, or do not pass recommendation. I support this bill, what is here should be focused on, and everything in the standards can be, it all works together in history class, and a focus on these is important.

Chairman- Mark S. Owens: anyone else.

Vice Chairman- Cynthia Schreiber-Beck: I do not disagree that we should focus on them, but there is some other problems within the bill itself. I do not know if I want to amend to address, plus it is already being taught, this does bring attention to the federalist papers, and maybe people should pay more attention, but beyond that with some of the other problems that existed from the school board association critique of the bill, I would not pass the bill as it exists.

Chairman- Mark S. Owens: any other comments. When I saw this bill I thought it was very interesting, I have a copy of the federalist papers in these three huge binders, I do not know how you are going to, and that is because I am a government geek, I like that stuff, I wanted to see the arguments that went back and forth in the newspapers. How they sold the constitution. The one thing I keep telling myself is we passed that bill in the past in taking the civics exam, now this year if I am not mistaken the requirements for the civics test goes from 70% to 80% to pass, and we made that a requirement. That is the same test we apply

to our new citizens, so this made that seem a little redundant to me. I will support the do not pass motion myself. Any further discussion.

Rep. Mary Johnson: when did you first receive the federalist papers.

Chairman- Mark S. Owens: years ago.

Rep. Mary Johnson: because you have been around a long time. Did you get them in high school?

Chairman- Mark S. Owens: I do not believe how long I have been around is an issue here.

Rep. Mary Johnson: you said a long time, I was wondering if it was high school.

Chairman- Mark S. Owens: no actually it was a gift from my mother.

Rep. Mary Johnson: and you were how old.

Chairman- Mark S. Owens: I was 50 something.

Rep. Mary Johnson: I am a political science major at UND and I got them in college. I was thinking the federalist papers are a little complicated for high school.

Chairman- Mark S. Owens: well understood. Are there any other comments?

Rep. Corey Mock: in 2011 during the session I served in the political subdivisions committee, and we had one of the neatest experiences I think I can recall as a legislator, in my nine years serving in the legislature. We had a third grade class from Kenmare Elementary. Ms. McNealy was the teacher, and her 3rd grade class project for the school year was revolved around the idea that North Dakota did not have a state insect, and their class based every lesson from math, to science, and civics on that concept. They came to the legislature and they had a bill introduced on their behalf to make the convergent lady beetle North Dakota's state insect. Lady bugs are often considered pest, except the convergent lady beetle which is a native insect to North Dakota. We learned more in that hearing on the lady bug, but we had them explain to us how a bill becomes a law. I bring it up, because we can require the students to read anything we want, but it is truly about implementing that knowledge, and teaching and incorporating into school is what is going to give them that full understanding. It is the education, it is the teaching, it is them understanding that is the important part, if we are trying to increase our civic knowledge, I do not think that achieves what we want it to achieve, we need to move on education to teach those standards, and integrate the lessons, more emphasis on that then focusing on reading one paper or one document, and hoping they retain it, and can apply it to their lives.

Chairman- Mark S. Owens: any further discussion.

Rep. Andrew Marschall: I notice throughout my schooling, the closest I ever come to the actual federalist papers in class was that they exist. Not once have I ever actually gone through, and had to read any of the federalist papers, whether in high school, junior high,

college. I actually have a copy of the federalist papers, the constitution from an encyclopedia that I have, and I have a full set, and one of the books is on that, and that is the only reason why I have it. I have extensive college behind me, and I not have to read any of the federalist papers in any of my college or high school classes. This is rarely important to have this.

Chairman- Mark S. Owens: any other discussion. I will invite the clerk to do a roll call vote for a do not pass on HB 1337. 12-2-0, do not pass vote succeeded, and Rep. Ron Guggisberg is carrying this bill.

Date: 1/30/17

Roll Call Vote #

**2017 HOUSE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. 1337**

House Education Committee

Subcommittee

Amendment LC# or Description:

Recommendation:	<input type="checkbox"/> Adopt Amendment <input type="checkbox"/> Do Pass <input checked="" type="checkbox"/> Do Not Pass <input type="checkbox"/> As Amended <input type="checkbox"/> Place on Consent Calendar <input type="checkbox"/> Reconsider	<input type="checkbox"/> Without Committee Recommendation <input type="checkbox"/> Rerrefer to Appropriations
Other Actions:	<input type="checkbox"/> _____	

Motion Made By Rep. Schreiber-Beck Seconded By Rep Zubke

Total (Yes) 12 No 2

Absent

Floor Assignment Rep. Guggisberg.

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

REPORT OF STANDING COMMITTEE

HB 1337: Education Committee (Rep. Owens, Chairman) recommends **DO NOT PASS** (12 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). HB 1337 was placed on the Eleventh order on the calendar.

2017 SENATE EDUCATION

HB 1337

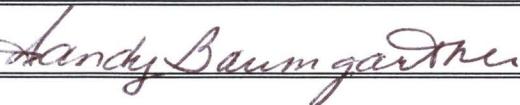
2017 SENATE STANDING COMMITTEE MINUTES

Education Committee
Sheyenne River Room, State Capitol

HB 1337
3/7/2017
Job Number 28766

- Subcommittee
 Conference Committee

Committee Clerk Signature



Explanation or reason for introduction of bill/resolution:

Relating to required reading of historical document

Minutes:

#1, #2, #3, #4, #5

Vice-Chair Rust: Let's open meeting. Roll taken. Senator Schaible will come later as he is presenting a bill. Good Morning. We will start with HB 1337

Repr. Mike Schatz: Dist. 36 from New England. Former teacher and coach for 26 years. The Federalist papers are 85 letters. Brief history of papers was given. A study of the Federalist papers will help preserve our nation.

Vice-Chair Rust: Why isn't this in content standards and why should it be in Century Code?

Repr. Mike Schatz: There are other things spelled out in code, the Constitution and the Declaration of Independence. This would just be added.

Vice-Chair Rust: It is about 190,000 words. It takes about 13 hours to read it. The bill says "read".

Senator Oban: What do you propose we take off a teacher's plate?

Repr. Mike Schatz: In-services. But I don't know what to take off.

Senator Oban: Teachers tell me they do teach snippets here and there. How do they find the time to teach more?

Repr. Mike Schatz: Doing it on a daily basis or different methods of reading or listening to it. There are different ways of doing it. It would be an advanced class.

Vice-Chair Rust: There is a full audio of this on the net. I found it quite enlightening. They are quite lengthy.

Conversation continued on discussion of Federalist Papers.

Any individuals testifying in support of 1337.

Chairman Schaible: (returned) Any other testimony in opposition to?

Dave Michaelson: Dickinson Instructor for 35 years. I stand in opposition of 1337. Testimony #1.

Chairman Schaible: Do you have problems with the Declaration and Constitution included in standards?

Dave Michaelson: Not at all, it is essential.

Chairman Schaible: You need the flexibility to have what goes on.

Dave Michaelson: There are other papers opposed to the Federalist Papers.

Senator Vedaa: If you read 5 minutes a day, would that be justified?

Dave Michaelson: I don't believe so. It might be something for a higher level or college.

Senator Kannianen: Do you touch on the government and state and local government of North Dakota. It is too much to be added.

Senator Davison: If we amended and took out “read” and just receive instruction. Are you more comfortable with that?

Dave Michaelson: I don’t think that is necessary because our standards already say that.

Senator Davison: The reading level for kids is too high. I think it is important the kids understand in 1337. But leave it to the teacher. We find it more interesting because we are living it now.

Chairman Schaible: Do you think we should mandate what our teachers study?

Dave Michaelson: I do believe the other 3 documents are important, but we should have the flexibility to teach.

Senator Rust: How do you feel about contents being in statue versus in content standards?

Dave Michaelson: Placing in statue ties our hands.

Sharon Espeland: Assistant principal at Century High School in Bismarck. Testimony #2 in opposition of 1337.

Chairman Schaible: Any questions?

Senator Kannianen: Is there an assumption that high school students are learning the “why” of everything?

Sharon Espeland: We teach kids skills and also the why. If teachers aren’t, it is my job to take care of it.

Senator Rust: I want to present a letter from Ryan Albrecht in opposition to 1337, testimony #3

Chairman Schaible: It will be put on record.

Russ Ziegler: North Dakota Council of Educational Leaders; Testimony #4. Request a “Do Not Pass”.

Anita Thomas: General Counsel of ND School Boards Association. Testimony #5 for a “Do Not Pass” for 1337.

Fern Pokorny: ND United: Wanted to again refer to Ryan Albrecht’s letter. I highlighted articles of the Federalist papers he uses in his class.

Chairman Schaible: Other testimony? We will close the hearing.

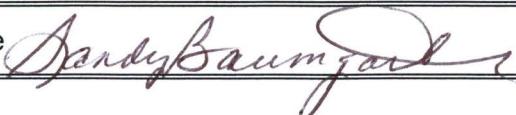
2017 SENATE STANDING COMMITTEE MINUTES

Education Committee
Sheyenne River Room, State Capitol

HB 1337
3/7/2017
Job Number 28813

- Subcommittee
 Conference Committee

Committee Clerk Signature



Explanation or reason for introduction of bill/resolution:

Relating to required reading of historical document

Minutes:



Chairman Schaible: Let's open meeting and look at 1337.

Senator Rust: I move for a Do Not Pass.

Senator Vedaa: I second.

Chairman Schaible: Any discussion?

Senator Davison: I don't like the bill and Anita Thomas and the list she had to also study. If you took out the word 'read' it might make it better.

Senator Rust: I don't want to make it better. More legislatures are trying to put more curriculum into the law. They need to be in the standards.

Chairman Schaible: All we hear from teachers is "let us do our jobs". We need to hire qualified teachers and let them do their jobs. We need to demand results and provide means to get there.

Senator Vedaa: It was killed in the House and then came back.

Chairman Schaible: No other discussion, clerk take the roll.

6 Yeas, 0 nays, 0 absent

Senator Rust will carry.

Date: 3-07-17
Roll Call Vote #: 1

**2017 SENATE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. 1337**

Senate Education Committee

Subcommittee

Amendment LC# or Description:

Recommendation:	<input type="checkbox"/> Adopt Amendment	<input checked="" type="checkbox"/> Do Not Pass	<input type="checkbox"/> Without Committee Recommendation
	<input type="checkbox"/> Do Pass	<input type="checkbox"/> As Amended	<input type="checkbox"/> Rerefer to Appropriations
	<input type="checkbox"/> Place on Consent Calendar	<input type="checkbox"/> Reconsider	<input type="checkbox"/> _____

Motion Made By Rust Seconded By Vedara

Total (Yes) 6 No 0

Absent Present

Floor Assignment *Rust*

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

REPORT OF STANDING COMMITTEE

HB 1337: Education Committee (Sen. Schaible, Chairman) recommends DO NOT PASS
(6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1337 was placed on the
Fourteenth order on the calendar.

2017 TESTIMONY

HB 1337

HB 1337

Attachment 1

1/25/17

HB 1337 - Federalist Papers

Mr. Chairman and members of the House Education Committee, For the record, I am Rep. Mike Schatz, District 36 from New England. I am a former social studies teacher and football coach, and I taught for 26 years. Two of my favorite subjects were US History and US Government.

It is one thing to know the factual information about these subjects, but it is quite a different process to understand the why of what the founding fathers did. The Federalist Papers are 85 essays that explain every facet of why. James Madison, John Jay, and Alexander Hamilton are the authors of these papers, and they researched every republic that had existed in human history up to that time.

Why is there a senate and a house? Why do we have a separation of power between the legislative, executive, and judiciary? Why do we have state rights? Why are justices appointed and not elected? And the big one lately, why do we have an electoral college?

Remember, the word democracy does not appear anywhere in the United States Constitution. The United States is a representative republic, which means the population elects representatives to voice their opinions.

In today's world, without a firm understanding of why we have this representative republic, people can be swept up in a feeling of instant change which almost always has adverse consequences. A study of the Federalist Papers gives the answers to many questions and will help preserve our nation.

HB 1337

Attachment 2

1/25/17

House Bill No. 1337

Testimony in Opposition

North Dakota Council of Educational Leaders, Russ Ziegler

Good Morning Chairman Owens, Vice Chairman Schreiber-Beck, and members of the House Education Committee. For the record, my name is Russ Ziegler and I am the assistant director for the North Dakota Council of Educational Leaders. Thank you for the opportunity to give testimony in opposition to House Bill 1337.

As I am sure you are aware all teachers in North Dakota Public Schools must follow the content standards established by the North Dakota Department of Public Instruction. Student performance is measured by these academic standards. Social Studies courses are no different. The current content and achievement standards in Social Studies for grades K-12, which can be found at this link: https://www.nd.gov/dpi/uploads/87/Soc_studies.pdf, are currently being utilized in social studies classroom across the state. These standards do need to be up-dated since they were last revised December of 2007. However, the readings and required instruction proposed in House Bill 1337 are currently in the standards. Please look at page 45 and 46 of the standards which I included with my testimony. Standards 9-12.4.3 lists all the documents the bill states plus others that must be covered, and standards 9-12.4.4, 9-12.4.5, and 9-12.4.6 highlights the other topics in the bill. The question then becomes if these are already in the content standards, and are alrighy being taught in public schools in North Dakota, then why do we need a law stating what is being done?

While I was researching this bill, I had contacted the North Dakota Association of Secondary School Principal's board member to ask their social studies teachers for their

thoughts. Honestly, a couple of the social studies teachers felt like the legislative body does not trust them to instruct the students in the state. They all felt that these are covered in there classes already and should not be legislated.

The legislative body does not make laws that require the math teachers to teacher the quadratic formula, the science teacher to teach cellular structure, or the English teacher to teach dangling participles. Why is it that Social Studies is an area where the state legislature dictates curriculum? We already have current laws in place that require social studies to teach economics and students must pass a civics test. Was there an issue in North Dakota where students were not being taught these ideas already? Two teachers had this specific question about the bill: "What do they think we do all day?"

Changes to the curriculum needs to begin with the standards and, as the North Dakota Department of Public Instruction has successfully done, they need to have teacher support. Teachers in the field are the content specialist and experts and need to know that they are being supported at all levels. With the responses from the field the North Dakota Council of Educational Leaders this is a case of a bill that is unnecessary. These areas are already in the North Dakota State Standards. We respectfully request a do not pass on House Bill 1337.

Standard 4: Students understand the development, functions, and forms of various political institutions and the role of the citizen in government and society.

Benchmark Expectations	ACHIEVEMENT DESCRIPTORS			
	ADVANCED PROFICIENT	PROFICIENT	PARTIALLY PROFICIENT	NOVICE
Grades 9–12				
TRIBAL SOVEREIGNTY				
9–12.4.1 Explain how political and economic forces have affected the sovereignty of tribal nations (e.g., constitutional provisions; Supreme Court cases; laws used in forming the basis of the federal-tribal relationship; political and economic forces affecting sovereignty of tribal nations)	Students provide an insightful explanation of how political and economic forces have affected the sovereignty of tribal nations.	Students provide a relevant explanation of how political and economic forces have affected the sovereignty of tribal nations.	Students provide a superficial explanation of how political and economic forces have affected the sovereignty of tribal nations.	Students provide an irrelevant explanation of how political and economic forces have affected the sovereignty of tribal nations.
HISTORICAL AND PHILOSOPHICAL FOUNDATIONS				
9–12.4.2 Compare the nature and source of various types of political entities past and present throughout the world (e.g., ancient Greek and Roman political thought; classical republicans; philosophy of natural rights; limited and unlimited governments; constitutional governments; representative democracy; con-federal, federal, unitary systems of government, and international organizations)	Students compare the nature and source of various types of political entities past and present throughout the world with substantial detail.	Students compare the nature and source of various types of political entities past and present throughout the world with sufficient detail.	Students compare the nature and source of various types of political entities past and present throughout the world with sketchy detail.	Students compare the nature and source of various types of political entities past and present throughout the world with little or no detail.
9–12.4.3 Analyze the content and context of documents, events, and organizations that influenced and established the United States (e.g., Magna Carta; English common law; Petition of Right; English Bill of Rights; 1 st and 2 nd Continental Congresses; Common Sense; Declaration of Independence, American Revolution Articles of Confederation; Constitutional Convention; Federalist Papers, Anti-Federalist Papers; U.S. Constitution, Bill of Rights)	Students provide an insightful analysis of the content and context of documents, events, and organizations that influenced and established the United States.	Students provide a relevant analysis of the content and context of documents, events, and organizations that influenced and established the United States.	Students provide a superficial analysis of the content and context of documents, events, and organizations that influenced and established the United States.	Students provide a irrelevant analysis of the content and context of documents, events, and organizations that influenced and established the United States.

Standard 4 Students understand the development, functions, and forms of various political institutions and the role of the citizen in government and society.

Benchmark Expectations	ACHIEVEMENT DESCRIPTORS			
	ADVANCED PROFICIENT	PROFICIENT	PARTIALLY PROFICIENT	NOVICE
HISTORICAL AND CONTEMPORARY POLITICAL PROCESSES				
9–12.4.4 Evaluate the effectiveness of structures, operations, and influences of political systems and constitutional governments (e.g., federalism; separation of powers; checks and balances; media and special interest groups)	Students provide an insightful evaluation of the effectiveness of structures, operations, and influences of political systems and constitutional governments.	Students provide a relevant evaluation of the effectiveness of structures, operations, and influences of political systems and constitutional governments.	Students provide a superficial evaluation of the effectiveness of structures, operations, and influences of political systems and constitutional governments.	Students provide an irrelevant evaluation of the effectiveness of structures, operations, and influences of political systems and constitutional governments.
9–12.4.5 Analyze historical and contemporary examples of civil liberties and civil rights in the U.S. (e.g., incorporation of the Bill of Rights, amendments, key legislation, and landmark Supreme Court cases)	Students provide an insightful analysis of historical and contemporary examples of civil liberties and civil rights in the United States.	Students provide a relevant analysis of historical and contemporary examples of civil liberties and civil rights in the United States.	Students provide a superficial analysis of historical and contemporary examples of civil liberties and civil rights in the United States.	Students provide an irrelevant analysis of historical and contemporary examples of civil liberties and civil rights in the United States.
RIGHTS AND RESPONSIBILITIES OF CITIZENS				
9–12.4.6 Evaluate the rights and responsibilities of citizenship and civic participation (e.g., election system and process; naturalization; political activism)	Students provide an insightful evaluation of the rights and responsibilities of citizenship and civic participation with substantial detail.	Students provide a relevant evaluation of the rights and responsibilities of citizenship and civic participation.	Students provide a superficial evaluation of the rights and responsibilities of citizenship and civic participation.	Students provide an irrelevant evaluation of the rights and responsibilities of citizenship and civic participation.



NORTH DAKOTA
SCHOOL BOARDS
ASSOCIATION
I N C O R P O R A T E D

Excellence in North Dakota public education through local school board governance

HB 1337 – TESTIMONY

L. Anita Thomas, J.D., LL.M.

General Counsel

North Dakota School Boards Association

January 25, 2017

In 2009, the Legislative Assembly passed a bill that was codified as section 15.1-21-22. As you can see, it provided that before a student is deemed to have successfully completed either United States government or problems of democracy, the student's school district had to ensure that the student had read the Declaration of Independence, the United States Constitution, and the Bill of Rights.

Now this bill would propose to statutorily direct that not only must the student have read those documents, the student must have received instruction on those documents.

In addition, the list now includes the Federalist Papers.

The bill further requires that the student read about and receive instruction on the "structure and relationship of the federal government and state and local governments, and the role of separation of powers and the powers reserved or granted to each level of government."

Since we are talking about historical documents, let me share with you a bit of legislative history. After the 1997 legislative session, we began a two interim rewrite of the Title 15 – the education title. That's how Title 15.1 came into being.

At the time, we had laws on the books that required schools to teach handwashing, and temperance, and the humane treatment of animals, etc. Dr. Sanstead, in his capacity as Superintendent of Public Instruction, got up and asked the interim committee to remove that language. He said that while all of those topics were appropriate, his concern was that legislators would want to continue adding to the list those topics that they believed were important for whatever reason. He said it wouldn't take long before there wasn't time to teach reading, writing, and arithmetic.

This bill references foundational documents and concepts that most certainly should be included, even multiple times, within a young person's educational experience. Our concern is not with what this bill does, but with the precedent it sets. Perhaps this year, schools are told to include four or five additional items. Perhaps next year, they will be told to include ten or twenty equally meritorious topics. Where does it stop?

1

We would suggest that curricular decisions remain in the hands of boards, administrators, teachers, and parents.

For that reason, we respectfully request a **DO NOT PASS** on HB 1337.

Testimony on HB 1337

HB 1337

SENATE EDUCATION COMMITTEE

3-07-17

March 7, 2017

#1 p.1

Dave Michaelson, Dickinson High School

Government Instructor & Close Up Advisor

dmichaelson@dpsnd.org

701-456-0030

Mr. Chairman and Members of the Senate Education Committee:

I am Dave Michaelson, Dickinson High School government instructor and Close-up advisor, and I stand in opposition of HB1337, which amends State Statute to require school districts to ensure students have read and received instruction on the Federalist Papers.

NDCC 15.1-21-22 currently requires of reading of historical documents. The documents included in the present statute are the *Declaration of Independence*, the *United States Constitution*, and the *Bill of Rights*. HB 1337 adds the *Federalist Papers* to the list of required readings. I oppose this amendment for the following reasons:

The Federalist Papers are extremely lengthy. I oppose the state mandating that “the district shall ensure that students shall READ” this document in its entirety. There is no question about the historical importance of the 85 articles in the *Federalist Papers*; however, the content of this document constitutes an entire new course. As a matter of fact, Hillsdale College, and other institutions of higher learning, offer such a course.

STANDARD 4.3 for grades 9–12 of the Social Studies Standards, calls for instructors to analyze the content and context of this document as well as the Magna Carta; English common law; Petition of Right; English Bill of Rights; 1st and 2nd Continental Congresses; Common Sense; Declaration of Independence, American Revolution; Articles of Confederation; Constitutional Convention; Federalist Papers, Anti-Federalist Papers; U.S. Constitution, and Bill of Rights. I am concerned that this will open the door for additions of the aforementioned documents as well.

By amending NDCC 15.1-21-22 to include the *Federalist Papers* creates an unrealistic requirement for Government and Problems of Democracy courses. I respectfully request a Do Not Pass for HB 1337.

Mr. Chairman, this completes my testimony. I am available to address any questions from the committee. Thank you.

HB 1337:

Required reading of historical documents. Before a student is deemed to have successfully completed either United States government or problems of democracy, as required by section 15.1-21-02.1 15.1 - 21 - 02.2, the student's school district shall ensure that the student has read and received instruction on the Declaration of Independence, the United States Constitution, and the Bill of Rights, The Federalist Papers, the structure and relationship of the federal government and state and local governments, and the role of separation of powers and the powers reserved or granted to each level of government.

My name is Sharon Espeland, assistant principal at Century High School in Bismarck. On behalf of the Bismarck Public School District, THANK YOU for your willingness to listen to my remarks regarding this proposed legislation regarding the required reading of historical documents. I've spent a great deal of my 25 years in education, teaching Government, AP Government and U.S. History. I have a passion for civics education in order to engage and produce enlightened citizens.

That said, I have several points to make in opposition to HB 1337.

1. Several ND State Standards already exist to teach much of what is listed (listed below). Teachers have used these standards in the BPS district since at least 2006. One overall concern is the prescriptive nature of some areas at the expense of others that are also vital to a government or civics course. (Yellow highlighted information is what is mandated in HB 1337. All other information is not included).

Social Studies Standard 1 (Grade 9-12): Students apply Social Studies skills and resources.

9-12.1.2 Interpret and evaluate documents (e.g., primary and secondary sources, fact, fiction, or opinion) to enhance the understanding of social studies content.

Social Studies Standard 4 (Grades 9-12): Students understand the development, functions, and forms of various political systems and the role of the citizen in government and society.

TRIBAL SOVEREIGNTY

9-12.4.1 Explain how political and economic forces have affected the sovereignty of tribal nations (e.g., constitutional provisions; Supreme Court cases; laws used in forming the basis of the federal-tribal relationship; political and economic forces affecting sovereignty of tribal nations)

HISTORICAL AND PHILOSOPHICAL FOUNDATIONS

9-12.4.2 Compare the nature and source of various types of political entities past and present throughout the world (e.g., ancient Greek and Roman political thought; classical republicans; philosophy of natural rights; limited and unlimited governments; constitutional governments; representative democracy; con-federal, federal, unitary systems of government, and international organizations)

9-12.4.3 Analyze the content and context of documents, events, and organizations that influenced and established the United States (e.g., Magna Carta; English common law; Petition of Right; English Bill of Rights; 1st and 2nd Continental Congresses; Common Sense; Declaration of Independence, American Revolution Articles of Confederation; Constitutional Convention; Federalist Papers, Anti-Federalist Papers; U.S. Constitution, Bill of Rights)

HISTORICAL AND CONTEMPORARY POLITICAL PROCESSES

9-12.4. Evaluate the effectiveness of structures, operations, and influences of political systems and constitutional governments (e.g., federalism; separation of powers; checks and balances; media and special interest groups)

9-12.4.5 Analyze historical and contemporary examples of civil liberties and civil rights in the U.S. (e.g., incorporation of the Bill of Rights, amendments, key legislation, and landmark Supreme Court cases)

RIGHTS AND RESPONSIBILITIES OF CITIZENS

9-12.4.6 Evaluate the rights and responsibilities of citizenship and civic participation (e.g., election system and process; naturalization; political activism)

HB 1337

3-07-17

2 p. 2

2. There are 85 essays included in the Federalists papers; the vocabulary, text, and ideas are rich and immense which takes time for students to comprehend and analyze. Perhaps students can accomplish this if we take out a similar amount of other curriculum. While the Federalist Papers have value to many, there is an opportunity cost of what students are NOT exposed to because they are reading 85 essays. What curriculum do we abandon to follow this directive? Quite respectfully I ask, how many legislators have had the time to dive into the language and complexity of these texts? If the answer is no, should we put this into law?
3. There will be a corresponding push to add the Anti-Federalist papers and rightfully so. As you know the Federalist Papers argued for a Constitution, a strong central government, and did not think a Bill of Rights was necessary. On the contrary, the Anti-Federalists argued against a strong central government and insisted upon a Bill of Rights. Solely mandating one side over another does not do justice to teaching our students to research, examine sources, and formulate educated and reasoned opinions.
4. At the end of the day, ND teachers should and do follow the existing standards. We have qualified, licensed, wise teachers who unpack standards and teach them.

Thank you for your time and attention.

HB 1337
3-07-17
#3 p.1

Oban, Erin

From: Ryan Albrecht <Ryan.Albrecht@k12.nd.us>
Sent: Tuesday, March 7, 2017 8:24 AM
To: Schaible, Donald G.; Rust, David S.; Oban, Erin; Kannianen, Jordan L.; Davison, Kyle; Vedaa, Shawn A.
Subject: Thoughts on HB 1337

CAUTION: This email originated from an outside source. Do not click links or open attachments unless you know they are safe.

Chairman Schaible and members of the Senate Education Committee,

My name is Ryan Albrecht and I teach social studies in Tioga Public Schools. This bill already touches upon subjects that are already discussed when students are 8th graders, Juniors and Seniors. The 12th grade deals with such subjects as federalism, checks and balances, the state and local governments, the three branches of government and so on. In my Senior class we spend two days reading and discussing the first 7 Articles of the Constitution and later another two days reading all 27 amendments. As 8th graders they progress throughout history by reading the Declaration of Independence, learning about the Bill of Rights and the Constitution. These are all things that occur naturally in a History class.

The biggest concern I have as an instructor of History and Government is the state saying that we also have to read the Federalist Papers. Are they an important part of our history? Absolutely, but to require each classroom to devote in all likelihood **several weeks reading and discussing all 85 articles** is too much. As Government and History teachers we do mention a few of the Articles like #10, #51, #78 and #39. Why did I mention those? 78 deals with Judicial Review, 39 Federalism, and 51 Checks and Balances. We already touch upon many of the ideas of the Federalist Papers in the classroom , doing so again would be redundant. There is also the fact that these articles are all written in an older style of English which quite honestly is not the easiest to read out loud and discuss. There are so many things that we try and get throughout a school year that this will force us to cut other important lessons.

I am also concerned that if we look at the Federalist Papers then we should also be looking at the ideas of the Anti-Federalist Papers as well. If we are only presenting one side of advocating a stronger central government then we are silencing the idea of having a stronger state government.

I strongly oppose this bill and hope that the members of the Senate Education Committee gives a do not pass to this bill.

Ryan Albrecht

Social Studies Teacher, Boys & Girls Golf Coach, Junior High Boys Basketball Coach, Close Up Adviser

It is hard to fail, but it is worse never to have tried to succeed.

3-07-17
HB 1337
44 p.1

House Bill No. 1337

Testimony in Opposition

North Dakota Council of Educational Leaders, Russ Ziegler

Good Morning Chairman Schaible, Vice Chairman Rust, and members of the Senate Education Committee. For the record, my name is Russ Ziegler and I am the assistant director for the North Dakota Council of Educational Leaders. Thank you for the opportunity to give testimony in opposition to House Bill 1337.

As I am sure you are aware all teachers in North Dakota Public Schools must follow the content standards established by the North Dakota Department of Public Instruction. Student performance is measured by these academic standards. Social Studies courses are no different. The current content and achievement standards in Social Studies for grades K-12, which can be found at this link: https://www.nd.gov/dpi/uploads/87/Soc_studies.pdf, are currently being utilized in social studies classroom across the state. These standards do need to be up-dated since they were last revised December of 2007. However, the readings and required instruction proposed in House Bill 1337 are currently in the standards. Please look at page 45 and 46 of the standards which I included with my testimony. Standards 9-12.4.3 lists all the documents the bill states plus others that must be covered, and standards 9-12.4.4, 9-12.4.5, and 9-12.4.6 highlights the other topics in the bill. The question then becomes if these are already in the content standards, and are alrighy being taught in public schools in North Dakota, then why do we need a law stating what is being done?

While I was researching this bill, I had contacted the North Dakota Association of Secondary School Principal's board member to ask their social studies teachers for their

3-07-17
HB 1337
#4 p. 2

thoughts. Honestly, a couple of the social studies teachers felt like the legislative body does not trust them to instruct the students in the state. They all felt that these are covered in their classes already and should not be legislated.

The legislative body does not make laws that require the math teachers to teacher the quadratic formula, the science teacher to teach cellular structure, or the English teacher to teach dangling participles. Why is it that Social Studies is an area where the state legislature dictates curriculum? We already have current laws in place that require social studies to teach economics and students must pass a civics test. Was there an issue in North Dakota where students were not being taught these ideas already? Two teachers had this specific question about the bill: "What do they think we do all day?"

Changes to the curriculum needs to begin with the standards and, as the North Dakota Department of Public Instruction has successfully done, they need to have teacher support. Teachers in the field are the content specialist and experts and need to know that they are being supported at all levels. With the responses from the field the North Dakota Council of Educational Leaders this is a case of a bill that is unnecessary. These areas are already in the North Dakota State Standards. We respectfully request a do not pass on House Bill 1337.

Standard 4 Students understand the development, functions, and functions of various political institutions and the role of the citizen in government and society.

Benchmark Expectations	Achievement Descriptors				
	Advanced Proficient	Proficient	Partially Proficient	Novice	
Grades 9–12					
TRIBAL SOVEREIGNTY					
9–12.4.1 Explain how political and economic forces have affected the sovereignty of tribal nations (e.g., constitutional provisions; Supreme Court cases; laws used in forming the basis of the federal-tribal relationship; political and economic forces affecting sovereignty of tribal nations)	HB 1337 3-07-17 HHP	Students provide an insightful explanation of how political and economic forces have affected the sovereignty of tribal nations.	Students provide a relevant explanation of how political and economic forces have affected the sovereignty of tribal nations.	Students provide a superficial explanation of how political and economic forces have affected the sovereignty of tribal nations.	Students provide an irrelevant explanation of how political and economic forces have affected the sovereignty of tribal nations.
HISTORICAL AND PHILOSOPHICAL FOUNDATIONS					
9–12.4.2 Compare the nature and source of various types of political entities past and present throughout the world (e.g., ancient Greek and Roman political thought; classical republicans; philosophy of natural rights; limited and unlimited governments; constitutional governments; representative democracy; con-federal, federal, unitary systems of government, and international organizations)		Students compare the nature and source of various types of political entities past and present throughout the world with substantial detail.	Students compare the nature and source of various types of political entities past and present throughout the world with sufficient detail.	Students compare the nature and source of various types of political entities past and present throughout the world with sketchy detail.	Students compare the nature and source of various types of political entities past and present throughout the world with little or no detail.
9–12.4.3 Analyze the content and context of documents, events, and organizations that influenced and established the United States (e.g., Magna Carta; English common law; Petition of Right; English Bill of Rights; 1 st and 2 nd Continental Congresses; Common Sense; Declaration of Independence, American Revolution Articles of Confederation; Constitutional Convention; Federalist Papers, Anti-Federalist Papers; U.S. Constitution, Bill of Rights)		Students provide an insightful analysis of the content and context of documents, events, and organizations that influenced and established the United States.	Students provide a relevant analysis of the content and context of documents, events, and organizations that influenced and established the United States.	Students provide a superficial analysis of the content and context of documents, events, and organizations that influenced and established the United States.	Students provide a irrelevant analysis of the content and context of documents, events, and organizations that influenced and established the United States.

Standard 4 Students understand the development, functions, and functions of various political institutions and the role of the citizen in government and society.

Benchmark Expectations	Achievement Descriptors			
	Advanced Proficient	Proficient	Partially Proficient	Novice
HISTORICAL AND CONTEMPORARY POLITICAL PROCESSES				
9–12.4.4 Evaluate the effectiveness of structures, operations, and influences of political systems and constitutional governments (e.g., federalism; separation of powers; checks and balances; media and special interest groups)	Students provide an insightful evaluation of the effectiveness of structures, operations, and influences of political systems and constitutional governments.	Students provide a relevant evaluation of the effectiveness of structures, operations, and influences of political systems and constitutional governments.	Students provide a superficial evaluation of the effectiveness of structures, operations, and influences of political systems and constitutional governments.	Students provide an irrelevant evaluation of the effectiveness of structures, operations, and influences of political systems and constitutional governments.
9–12.4.5 Analyze historical and contemporary examples of civil liberties and civil rights in the U.S. (e.g., incorporation of the Bill of Rights, amendments, key legislation, and landmark Supreme Court cases)	Students provide an insightful analysis of historical and contemporary examples of civil liberties and civil rights in the United States.	Students provide a relevant analysis of historical and contemporary examples of civil liberties and civil rights in the United States.	Students provide a superficial analysis of historical and contemporary examples of civil liberties and civil rights in the United States.	Students provide an irrelevant analysis of historical and contemporary examples of civil liberties and civil rights in the United States.
RIGHTS AND RESPONSIBILITIES OF CITIZENS				
9–12.4.6 Evaluate the rights and responsibilities of citizenship and civic participation (e.g., election system and process; naturalization; political activism)	Students provide an insightful evaluation of the rights and responsibilities of citizenship and civic participation with substantial detail.	Students provide a relevant evaluation of the rights and responsibilities of citizenship and civic participation.	Students provide a superficial evaluation of the rights and responsibilities of citizenship and civic participation.	Students provide an irrelevant evaluation of the rights and responsibilities of citizenship and civic participation.

HB 1337

3-07-17

#4 p 4



NORTH DAKOTA
SCHOOL BOARDS
ASSOCIATION
INCORPORATED

Excellence in North Dakota public education through local school board governance

HB 1337
#5p.1
3-01-17



HB 1337 – TESTIMONY

L. Anita Thomas, J.D., LL.M.

General Counsel

North Dakota School Boards Association

March 7, 2017

In 2009, the Legislative Assembly passed a bill that was codified as section 15.1-21-22. As you can see, it provided that before a student is deemed to have successfully completed either United States government or problems of democracy, the student's school district had to ensure that the student had read the Declaration of Independence, the United States Constitution, and the Bill of Rights.

Now this bill would propose to statutorily direct that not only must the student have read those documents, the student must have received instruction on those documents.

In addition, the list now includes the Federalist Papers. The school district shall ensure that the student has read and received instruction on the Federalist Papers. A web-based copy exceeds 460 pages.

The bill further requires that the student read about and receive instruction on the "structure and relationship of the federal government and state and local governments, and the role of separation of powers and the powers reserved or granted to each level of government."

Since we are talking about historical documents, let me share with you a bit of legislative history. After the 1997 legislative session, we began a two interim rewrite of the Title 15 – the education title. That's how Title 15.1 came into being.

At the time, we had laws on the books that required schools to teach handwashing, and temperance, and the humane treatment of animals, etc. Dr. Sanstead, in his capacity as Superintendent of Public Instruction, got up and asked the interim committee to remove that language. He said that while all of those topics were appropriate, his concern was that legislators would want to continue adding to the list those topics that they believed were important for whatever reason. He said it wouldn't take long before there wasn't time to teach reading, writing, and arithmetic.

This bill references foundational documents and concepts that most certainly should be included, even multiple times, within a young person's educational experience. Our concern is not with what this bill does, but with the precedent it sets. Perhaps this session, schools are told to include two or three additional items. Perhaps next session, they will be told to include five or ten or twenty equally meritorious topics.

HB 1337
3-07-17
#5 p. 2

Why not also statutorily require that students read or read about and be instructed on:

Marbury v. Madison	California Gold Rush
Monroe Doctrine	Oregon Trail
Dred Scott	Indian Treaties
Gettysburg Address	Mexican American War
Emancipation Proclamation	Haitian Boat Lift
Plessy v. Ferguson	U.S. Relationship with Cuba
Brown v. Board of Education	Space Race
Martin Luther King's "I have a dream" speech	Moon landings
LBJ's "Great Society" speech	Nuclear proliferation

Where does it stop?

We would suggest that curricular decisions remain in the hands of boards, administrators, teachers, and parents. They can make the appropriate decisions about which topics need to be addressed at which grade levels and the manner in which they need to be addressed.

For that reason, we respectfully request a **DO NOT PASS** on HB 1337.