

**FISCAL NOTE**  
**Requested by Legislative Council**  
**01/17/2017**

Revised  
 Bill/Resolution No.: HB 1432

- 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.*

	2015-2017 Biennium		2017-2019 Biennium		2019-2021 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
<b>Revenues</b>	\$0	\$0	\$0	\$0	\$0	\$0
<b>Expenditures</b>	\$0	\$0	\$24,974,000	\$0	\$24,974,000	\$0
<b>Appropriations</b>	\$0	\$0	\$24,974,000	\$(182,684,000)	\$24,974,000	\$(182,684,000)

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

	2015-2017 Biennium	2017-2019 Biennium	2019-2021 Biennium
<b>Counties</b>	\$0	\$0	\$0
<b>Cities</b>	\$0	\$0	\$0
<b>School Districts</b>	\$0	\$16,050,000	\$5,350,000
<b>Townships</b>	\$0	\$0	\$0

- 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).*

HB 1432 restricts the authority of the state superintendent regarding the development of state content standards and defines the terms of their adoption; defines terms for the adoption and implementation of state assessments, establishing new annual assessment.

- 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.*

Section 4 requires the state superintendent, and any other state agency or employee “to terminate areas of federal control over the North Dakota educational process.” Such language implies the state’s removal from any federal programming, and assumingly, the state’s rejection of all federal funding supporting such activities. This requirement would eliminate any federal Elementary and Secondary Education Act funds managed by the terms of the state ESEA Consolidated State Application Plan, filed with the U.S. Department of Education, constituting a total annual allocation of \$91,342,000, or a biennial allocation of \$182,684,000. Section 4 places a directive to the state superintendent and other parties to implement this provision.

Section 5 directs the adoption of Massachusetts state course content standards and local curriculum that introduce several critical cost impacts.

A. **State Content Standards.** Sections 5.1.b., 5.1.c, and 5.1.d.4 direct the adoption and implementation of Massachusetts state course content standards. The state superintendent could not initiate any content standards development activities until approximately 2022, at which time new content standards might be initiated. There is no fiscal impact for these provisions for the 2017-2019 biennium.

B. **Local Curriculum Development.** Section 5.2 requires school districts to establish and implement academic curriculum objectives and plans through a consultation process involving teachers, administrators and local community members. Each of the state’s 428 schools plants, including schools and special services centers, will encounter average projected planning and implementation costs of \$25,000, totaling approximately \$16,050,000 during the 2017-2019 biennium. It further is assumed that some of these costs, projected at a 50% reduction from the 2017-2018 annual base, will extend into the 2019-2021 biennium, totaling approximately \$5,350,000 statewide.

C. **State Assessments.** Section 5.1.d directs the adoption of state assessments, based on prescribed Massachusetts

content constraints, including a restricted assessment source and the annual administration of new assessments. This section requires the release of all test items at the close of an assessment administration, revealing all items to the public, and effectively invalidating each test item from future use. This public release and item invalidation requires the development of entirely new assessments, including new test items for each of the state's 17 general grade- and subject-level tests and the state's 17 alternate grade- and subject-level tests, totaling 34 new individual tests. The projected costs for the state's 17 general and 17 alternate assessments are specified below.

1. State General Assessment Costs. The provisions of Section 5.1.d. require annual development activities, critical to the design and construction of valid and reliable assessments. Combined 2017-2019 biennium costs are projected to total \$15,755,000. Combined 2019-2021 biennium costs similarly will approximate \$15,755,000, given Section 5.1.d provisions.

2. State Alternate Assessment Costs. Combined 2017-2019 biennium costs are projected to total \$9,219,000. Combined 2019-2021 biennium costs similarly will approximate \$9,219,000, given Section 5.1.d provisions.

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.*

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.*

Expenditures are explained in 2.B. above. The Department projects combined expenditures of \$24,974,000 in general funds during the 2017-2019 and 2019-2021 biennia respectively. The provisions of HB 1432 would have no effect on FTE levels for the Department. Costs incurred would affect service contracts.

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 or a part of the appropriation is included in the executive budget or relates to a continuing appropriation.*

The cost increases required by the enactment of HB 1432 would require a supplemental general fund appropriation of \$22,774,000 for both the 2017-2019 and 2019-2021 biennia respectively. This appropriation level assumes that the Department would retain the current \$2,200,000 biennial support of general funds for both biennia. This increased appropriation for assessment implementation reflects a loss of all federal funding specified in HB 1432.

Any costs associated with HB 1432, above the current levels, will require a supplemental appropriation.

The Department anticipates maintaining the 2015-2017 general fund appropriation (\$2,200,000) during both the 2017-2019 and 2019-2021 biennia. With the state terminating federally funded programs, specified in HB 1432, the state would lose annual federal appropriations for all Elementary and Secondary Education Act programs, totaling \$182,684,000, including any previous federal funds for assessments.

**Name:** Greg Gallagher

**Agency:** Public Instruction

**Telephone:** 328-1838

**Date Prepared:** 01/24/2017

**FISCAL NOTE**  
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**01/17/2017**

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**Name:** Greg Gallagher

**Agency:** Public Instruction

**Telephone:** 328-1838

**Date Prepared:** 01/23/2017

2017 HOUSE EDUCATION

HB 1432

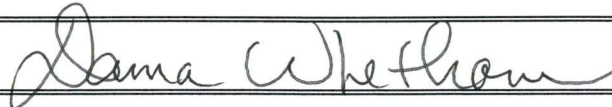
# 2017 HOUSE STANDING COMMITTEE MINUTES

**Education Committee**  
Coteau A Room, State Capitol

HB 1432  
1/30/2017  
27586

- Subcommittee  
 Conference Committee

Committee Clerk Signature



## Explanation or reason for introduction of bill/resolution:

Relating to the authority of the superintendent of public instruction and other state officials and agencies, and to standards and assessments and to the duties of the superintendent of public instruction and professional development.

## Minutes:

Attachment 1a, 1b, 1c, 2-17.

**Chairman- Mark S. Owens:** Opened the hearing on HB 1432.

**Representative Koppelman, District 16:** Explained HB 1432. (See attachment 1a-1c for testimony). 1:50-13:35

**Chairman- Mark S. Owens:** Are there any questions?

**Rep. Pat D. Heinert:** Can you tell me when the Massachusetts standards were developed?

**Representative Koppelman:** I think they are original initiative to improve their test began in 1993 and the writing of those standards. I don't believe all subjects were written at once. The implementation was in 2001 and made revisions to that in 2005.

**Chairman- Mark S. Owens:** 14:34 You said you gave us examples. (See Attachment 1b-c).

**Representative Koppelman:** I have the Massachusetts standards available if you want to see those. Regardless of your perspective of Common Core if this draft version that says 2017 on it, if we do continue forward with this we will have standards that are aligned with the common core. 15:06

**Chairman- Mark S. Owens:** I am looking at where there are differences, and where there not differences. What do you want the new standards to look like? It sounds like on the one hand you would want something different than Common Core, a standard is a standard teach the multiplication table 1-12, how else do you say that?

**Representative Koppelman:** I am not an expert in standards but I have not seen noticeable differences from the draft to the previous standards. I believe the citizens of North Dakota have been pretty critical of the Common Core standards and this appears more like what some states have done, where they retain 90% of it but remove the references to Common Core. If you start with a set of standards you can't change only cosmetic things of it and call it something good.

**Chairman- Mark S. Owens:** What did our standards look like prior to common core? Were they worded that differently than these two?

**Representative Koppelman:** 17:04 I did not spend a lot of time in this preparation comparing them. However, it is my opinion when I was on the school board that our old standards did need some work and didn't get us where we needed to be. But I do not hear any states that are bragging about their improved outcome after implementing Common Core.

**Chairman- Mark S. Owens:** Anyone else in support of HB 1432?

**Representative Casper:** 18:12-24:38 I did read Representative Koppelman's testimony. Common Core and if we look back 6 to 8 months, we had an epiphany in the United States congress where they said we are out of Common Core and the states are free to do what they please because we have effectively abolished Common Core. We have not abolished Common Core. We have not abolished anything. We have the Common Core standards that are out there and available and if the state decides to pick up those standards or part of them and continue the way they have been they have the opportunity to do that. And I submit to you Mr. Chairman that is what has been happening the last 8-10 months in North Dakota. I was chosen to be on the first committee that our superintendent put together, we had meetings and we had meetings. The person who was our moderator was very high up in the past in the Common Core standards around the nation. We had great committee people there, but we were unable to debate, or discuss what was on our hearts in most cases nor to have votes. It was consensus. How do you know what consensus is if you don't have a vote? We did have a little bit of a battle about Common Core last session. The final vote on the House floor was a loss by 5-6 votes. The key was to get out of Common Core and all we did was vote on one paragraph. I should have introduced that back in 2014 but I was ignorant to all the intricacies of education back then other than getting an education. Our goal I believe is to give the kids the best education so they can go on to become as successful as they can become. What we have found in North Dakota that has not been happening with the Federal intrusion at the state level in education. Local control has been gone and we are trying to get local control back. I believe we need to go in a totally new direction. By having meeting and looking at modifying the Common Core standards is not getting rid of Common Core that is keeping Common Core with 15-20% addition. The Massachusetts standards that this bill asks us to adopt are totally different standards that were adopted before Common Core was even heard of. The lady that was deeply involved in the Massachusetts standards, she sat on the committee and said that the Common Core standards are not the kind of standards that our kids need and should be taught. Many people sent emails and complained of the Common Core math and that they did not like it. There are people around the country that verify that the Massachusetts standards are one of the best standards that have ever been

developed. I hope when you look at this bill you focus on what is best for the kids of North Dakota because they are the most treasured thing we have in the state.

**Chairman- Mark S. Owens:** Anyone else in support of HB 1432?

**Lori Hinz, Resident of District 47:** In support of HB 1432 as a mother of 3 children. (See attachment 2 for testimony.) 24:47-29:35

**Chairman- Mark S. Owens:** Are there any questions?

**Vice Chairman- Cynthia Schreiber-Beck:** What schools do your children attend?

**Lori Hinz:** Century High School.

**Chairman- Mark S. Owens:** I assure you that everyone coming to testify from the agencies are for our benefit and it is part of their job, and we do need all the agencies. Any other support to HB 1432?

**Representative Olson, District 13:** 30:56-34:30 In support of HB 1342. This is a huge issue and it has not gone away. I am glad we have withdrawn from the Smarter Balance consortium this provides us with the ability to adopt our own standards because if we had not left that consortium, we would not have any leeway. It is time to truly adopt a set of standards that is geared towards the best outcomes of our students. This bill is a response to a process that has gone on this far. From everything I have heard, and from what I can understand from the standards that have been developed they are almost identical to the Common Core standards. That is a big issue because the people of North Dakota have truly spoken on this issue. I think the superintendent knows their desire to see change and has promised that we would see change. This is a good step toward the right direction. I am particularly interested in section 2 of the bill which limits the authority of the superintendent to adopt any document that would commit the state or the school district to participate in a multistate consortium course content standards. That is the very problem we just got out of and we need to guard against that in the future. It is important that we consider in limiting the types of agreements that the state can be bound into without legislative oversight. I know there is some language in this bill that needs to be changed particularly as it relates to the interpretation of the intent to eliminate Federal control. The Fiscal note needs to be tightened up or changed, that is not the intent of the author of the bill to require that type of cost to go forward. The bill is about adopting a good set of standards. The Massachusetts, is what we have to consider. Is that what we want to do? I would support the bill.

**Chairman- Mark S. Owens:** Are there any questions?

**Rep. Pat D. Heinert:** In section 2 line 20, you commented the course content standards must be developed independent of any multistate consortium. Then you change to page four under d. and it says adopt valid state assessments of student's achievement based on the assessments used in Massachusetts, was that developed by a multistate consortium?



**Representative Olson:** 35:17 To my knowledge no, it was developed in the state and with consultation with MIT and other experts within that area. Which has been very successful to them up to the point that they left them behind.

**Rep. Mary Johnson:** Were our homeschooled children held to common core standards?

**Representative Olson:** 36:44 I cannot answer that but it would relate to whether or not the standardized tests which are required for homeschooled children in grades 4,6,8,and 10. If their parents are not licensed to teach. Those students would be required to take standardized tests within the state. There is a very good chance that is the case. In our schooling in our home my wife has passed the test required to teach so we are not giving that standard test.

**Chairman- Mark S. Owens:** Anyone else in support for HB 1432?

**Mindy Backsen,Resident of Bismarck:** In support of HB 1432, mother of 3 children. (See attachment 3 for testimony). 37:44-41:02

**Chairman- Mark S. Owens:** Are there any questions?

**Rep. Brandy Pyle:** Can you explain what data that is being collected on our students?

**Mindy Backsen:** 41:52 It is massive but I have some information on it. Data was collected from this speaker. List of the vendors that our children's data is being shared to and the type of data.

**Chairman- Mark S. Owens:** It is your desire than even though you want to get rid of Common Core you are willing to accept standards created over sixteen years ago from another state. It does not have to be standards that are created here?

**Mindy Backsen:** Yes. If the standards of Massachusetts where superior and they have numbers and facts to show that than that would be good. But North Dakota does need to make them our own.

**Chairman- Mark S. Owens:** Any additional support for HB 1432?

**Steve Cates: Geo Physicist** In support of HB 1432. (44:20-55:11) I was appointed by Governor Schafer to National Education Commission of the States for 13 years. I had a very close look at education policy people. I wanted to point out the Washington post reported 500 schools and 22 states were being looked at by the US Department of Education and the Obama education Common Core, no significant impact on reading or math, testing scores or high school graduation or college enrollment has seen improvement and this started in 2009. We don't have any real evidence that Common Core does work. I want to touch on what Representative Casper said, I believe the Assessment Task force was one of meetings where there were no votes taken and at the end you got to write on a slip of paper or on the survey and then they came back. The moderator was an advocate for Common Core before and all through that meeting the task force was guided toward Common Core. We then found out that the superintendent had purchased from the Smarter Balance assessment consortium

assessments for the whole state and the price was computed on the number of students that would be taking tests. Explains his support of HB 1432.

**Chairman- Mark S. Owens:** Any questions?

**Rep. Mary Johnson:** Are there any other states that have suddenly quit on Common Core and what are the results?

**Steve Cates:** 55:59-58:51 Yes there have been several states, it was relatively recent and the results are not yet verifiable. Several states turned their back on Common Core and that was not discussed at the meeting and at the end of the meeting of the day you scribble on a piece of paper then you hand it in and then the task force leaders come back the next week and say here are the speakers this week for this meeting. In my opinion, the whole process was absolutely predetermined what the outcome would be.

**Chairman- Mark S. Owens:**

**Rep. Mary Johnson:** it seems to me what the question is what is best for the kids. Do we transition from Common Core or just quit it? Which is what this bill wants us to do plus adopt standards from Massachusetts. What is the best for children transition or is it better to just quit suddenly, in your opinion?

**Steve Cates:** I know of personally of what the citizens and parents want is opposed to the education bureaucracy and the non-profits are for. I think this bill is a move in the right direction. We have had great education in North Dakota and great teachers here. I know teachers that have left education because of this whole business.

**Chairman- Mark S. Owens:** Any other questions? Anyone else in support of HB 1432?

**Stacey Castleman, Mother of 4 children:** In support of HB 1432. (See attachment 4 for testimony). 58:49-104:00

**Chairman- Mark S. Owens:** 1:04:08 You opted out of a test and you have that right. It sounded like there was a problem at the local level on how they adjudicated him opting out of that test and how they decided where he best belonged at that point and that is what got you involved. You did a good job in getting them to talk to him. I'm lost as to how this was a result of Common Core.

**Stacey Castleman:** 1:04:55 The reason my kids are opted out of tests, the ones that they are opted out of is any test that does not give them a grade for them. It is just to find out, for example the math test, or Smarter Balance where are we? He still is in classroom doing class work which is Common Core work. The thing is, there not looking at him in the classroom they are looking at him at these numbers where none of these test scores matter to his grades. Continued on Testimony (1:05:47-107:25, see attachment 4). I ask for a do pass vote on HB 1432.

**Rep. Denton Zubke:** 1:07:35 I understand that you have the right to opt out, the question I want to ask as an administrator or teacher and the number of students I am dealing with how

do I do this if I am not going to have tests and assess those students level of proficiency based on tests?

**Stacey Castleman:** They are still taking tests. You still have your unit test your chapter test. I was on the testing committee and many of those teachers really like the Stars test and use that. They also have additional meetings to say when this child is in this class, these numbers are not really matching with the Stars test. Then they have that discussion because they know their kids and know what they are capable of doing. Right now in my son's school Legacy it has been very difficult exactly where those kids are because it is so computerized and it's not one on one. The teachers there, they know their kids, you should know what the children are doing. You would know this kid has problems with this tests, many children have different issues.

**Rep. Denton Zubke:** I understand that and I also understand from my personal experience that sometimes you have personality problems with teachers. 1:09:55 You would be more comfortable with individual teachers saying this is where your student is reading at and picking where they should be, am I correct?

**Stacey Castleman:** Not totally, I want them to know what my son is doing. I am not against tests. The only reason my child is opting out of those tests is because of the data mining. If my child was not in the SLEDS and not being data mined in our district by 112 entities that can see anything on him. I would not have a problem with the test, not everybody needs to know.

**Vice Chairman- Cynthia Schreiber-Beck:** As you spoke about your son that is a sophomore and 6<sup>th</sup> grade was the last time they took a reading on him, explain to me what his advanced level at was and was that in comparison to what? You had mentioned she was shocked at his advanced level.

**Stacey Castleman:** 1:11: 42 I don't know exactly what she means by that, if she was comparing that they thought he was stupid from his low grade, and didn't see him as being where he was. I don't know with the oral testing what the numbers are or how they place those in. I know you have to get so many out of 10, all the words have to be pronounced right and the pauses and periods.

**Chairman- Mark S. Owens:** Any other questions?

**Rep. Brandy Pyle:** What is the Stars test?

**Stacey Castleman:** They are short little tests. They have about 5 questions on something that they are doing.

**Rep. Brandy Pyle:** Do they relate with the curriculum or the lesson that they are working on that week or month? 1:12:55

**Stacey Castleman:** I don't know about that.

**Chairman- Mark S. Owens:** Any other questions from the committee? Seeing none. Anyone else in support of HB 1432?

**Noberto A. River, Business owner in Valley City:** Growing up in an impoverished. In support of HB 1432. (See Attachment 5 for testimony). 1:13:17-1:17:52.

**Chairman- Mark S. Owens:** Any questions or any other support of HB 1432?

**Mr. Ron Shaw, Citizen Lobbyist:** 1:18:22-1:20:17 In support of HB 1432. I was at the state convention in 2014 when the Resolutions committee put a resolution to scrap Common Core. They voted nearly 95% to throw it out. Explained why he is in support of HB 1432.

**Chairman- Mark S. Owens:** Anyone else in support of HB 1432?

**Erin Brown, Mother of 3 children:** In support of HB 1432. (See attachment 6 for testimony). 1:20:51-1:23:56

**Chairman- Mark S. Owens:** Any other support of HB 1432? Seeing none. Any opposition to HB 1432?

**Kristin Baesler, North Dakota Superintendent of Department of Public Instruction:** In opposition to HB 1432. (See attachment 7 for testimony). 1:24:27- 1:46:08

**Chairman- Mark S. Owens:** Any immediate questions for the superintendent? Seeing none. Anyone else in opposition to 1432?

**Nick Archuleta, President of North Dakota United:** In opposition to HB 1432. (See attachment 8 for testimony). 1:46:43-1:50:57.

**Chairman- Mark S. Owens:** Any questions from the committee? Seeing none. Anyone else in Opposition to HB 1432.

**Aimee Copas, North Dakota Council of Educational Leaders:** (see attachment 9 for testimony). 1:51:21-1:56:20.

**Chairman- Mark S. Owens:** Any questions?

**Rep. Pat D. Heinert:** Have you reviewed the standards that have been identified by the teachers and whoever else is on those committees?

**Aimee Copas:** Yes I have.

**Rep. Pat D. Heinert:** In your opinion are these standards set to excel our students in North Dakota?

**Aimee Copas:** 1:57:08 I do believe so, there is some of the standards I look and say we could even do more than that and it is all a matter of pace and space and time. We

incrementally make things tougher for our kids. Incremental growth base is the beauty of it and we will continue to move them down that growth base by the needs of our students.

**Chairman- Mark S. Owens:** Anyone else in opposition of HB 1432?

**Dr. Jeff Schatz, Superintendent of Fargo Public Schools:** 1:57:45-2:01:20. I have been in education for 33 years and it is my purpose to do what is best for kids. I am opposed to HB 1432. The bill itself is the problem. The question about standards has been an ongoing question. I believe our Superintendent has responded to the last legislative session and in taking the lead and recreated a new set of standards. To get out of a consortium for an assessment company. They have done all those things. They have recreated these standards over the last year so we can move forward and educate our students at a high level. Annual assessments versus growth modeling, you as a legislator dictate annual standardized assessments. What should that annual assessment be? Should we really be looking at growth modeling because all children are so different? When we assess students through the years we look at how are they growing in their growth model. Access to tests, I have never seen a time when a parent asked to see a test that they were denied. Any parent that wants to see an assessment has the opportunity to review that assessment. We do something K-3 where we look at literacy growth models. 85% are meeting their growth models. AP test scores, advanced placement courses, we in Fargo represent over 1/3 of the overall enrollment for the AP courses for the entire state. 75% of our students are scoring 3 or higher on that assessment. Increasing graduation rates, they have gone higher than the national average. Parents can go to Power school and see how their students are doing. We are far beyond Common Core and we are not a Common Core State. I will read my teachers testimony following: **Michelle Bertsch, Math teacher for 24 years:** (See attachment 10 for testimony) 2:01:30 – 2:08:05

**Chairman- Mark S. Owens:** Any questions?

**Rep. Ron Guggisberg:** 2:08:30 We heard testimony that teachers are leaving because of Common Core, is that something you find at the Fargo school district?

**Dr. Jeff Schatz:** I have never heard that comment.

**Chairman- Mark S. Owens:** Any other questions? Any opposition?

**Tamara Uselman, Superintendent of Bismarck Public Schools:** In opposition to HB 1432. (See attachment 11 for testimony). 2:08:53-2:18:29

**Chairman- Mark S. Owens:** Any questions? Any opposition for HB 1432?

**Dr. Michael McNeff, Superintendent of Schools in Rugby:** In opposition to HB 1432. (See attachment 12 for testimony). 2:18:53-2:22:13

**Chairman- Mark S. Owens:** Any questions? Anyone else in opposition to HB 1432?

**Lyle Krueger, Executive Director of the Missouri River Educational Cooperative:** In opposition to HB 1432. (See attachment 13 for testimony). 2:22:37-2:23:05

**L. Anita Thomas, J.D. LL.M. General Counsel North Dakota School Boards Association:** In opposition of HB 1432. (See attachment 14 for testimony). If you have any questions my contact information is on there. 2:23:47 - 2:25:19

**Chairman- Mark S. Owens:** Are there any questions?

**Rep. Andrew Marschall:** Has anybody asked folks of Massachusetts are you going back to those standards you had before Common Core?

**Anita Thomas:** That would not be a question for me.

**Chairman- Mark S. Owens:** Anyone else in opposition to HB 1432?

**Kristeen Monson, High school math teacher in Grafton:** In opposition to HB 1432. (See attachment 15 for testimony).2:26:06-2:28:57

**Chairman- Mark S. Owens:** Any questions?

**Vice Chairman- Cynthia Schreiber-Beck:** Early on in testimony we heard there was three options given by the Department of Public Instruction and they had no choice but to take the third option to kind of manipulate the Common Core Standards. 2:29:15

**Kristeen Monson:** We were told that we can do whatever we wanted to do. We spent time going through and looking at what other states had done and researching their documents and we did try to pull things in. Did we completely throw everything out? No. We went through every standard and asked is that appropriate for our kid and what should we do with that. Change verbs, take things out and other things we added and changed. We were not told that we had to just modify. 2:30:00

**Rep. Brandy Pyle:** 2:30:18 Did you feel that you were rushed to review the standards?

**Kristeen Monson:** 2:30:43 We had time. I would have felt rushed if we were told by DPI we couldn't come back. We came the first 3 days in June and we came back in July and in the end of July for another 2 days. We have gone over the standards at 3 times and painstakingly asked is this what we wanted to say.

**Chairman- Mark S. Owens:** We heard testimony, in this committee that because of the way the new standards committee was facilitated, that a number of teachers up and left and they didn't participate of teachers that had volunteered that were no longer participating. Do you recollect of any of that?

**Kristeen Monson:** I do not know of anybody that did not show up to the meeting that were put on the committee. When I looked at all the people that applied to the committee they were on the committee. There was no one left out because they were for or against Common Core. 2:32:15 I

**Chairman- Mark S. Owens:** So you are not aware of people that left the Standards Review Committee because they didn't like the way it was facilitated?

**Kristeen Monson:** There was a couple people that didn't make it to the July meeting because the date when they applied to the committee was changed but I don't know of anyone that did not come because they didn't like the process.

**Chairman- Mark S. Owens:** The testimony wasn't that they didn't make a meeting it was that they quit.

**Kristeen Monson:** I don't know about that.

**Rep. Brandy Pyle:** 2:33:52 When it was put out for public opinion was there a lot of public input back, negative or positive?

**Kristeen Monson:** We went through every comment that had been compiled, there was not a lot of comments. One of the things that you might realize that we changed a lot in the standards for high school level is that there was a lot of plus signs. We had a lot of great debate on what should be plus at in high school math and what should not. The plus signs have to do with things that we don't expect every North Dakota should have to learn, but those kids who are going into higher math or enrichment courses.

**Chairman- Mark S. Owens:** Any other questions? Seeing none. Anyone else in opposition to HB 1432?

**Marc Bluestone, Superintendent of Newtown schools:** 2:34:57 In opposition to HB 1432. We are revamping the curriculum throughout the K-12 and all the content standards. I testified in behalf of the Common Core bill based on a lot of factors. The current review process done by our North Dakota teachers is the right way to go. When you look at this bill from a development standpoint through what we are doing out the door and then develop the Massachusetts. I hope you vote a Do Not Pass on HB 1432.

**Chairman- Mark S. Owens:** Any questions? Anyone else in opposition? Is there any neutral testimony for HB 1432?

**Steve Cates:** I testified earlier that there was an Assessment Task Force and that is not the same as the Standards Teachers Committee and after that meetings there were many less people.

Testimony written handed out from Loren Nieuwsma from Devils Lake in opposition to HB 1432 for Legislators to read. (See Attachment #16)

Testimony written handed out from Ruth Zacher, High school teacher from Parshall, ND in support of HB 1432 for Legislators to read. (See Attachment #17).

**Chairman- Mark S. Owens:** Closing hearing for HB 1432.

# 2017 HOUSE STANDING COMMITTEE MINUTES

Education Committee  
Coteau A Room, State Capitol

HB 1432  
2/1/2017  
27761

- Subcommittee  
 Conference Committee

Committee Clerk Signature

*Donna C. Hoffman*

## Explanation or reason for introduction of bill/resolution:

Relating to the authority of the superintendent of public instruction and other state officials and agencies, and to standards and assessments and to the duties of the superintendent of public instruction and professional development.

## Minutes:

**Chairman- Mark S. Owens:** Opened the hearing on HB 1432.

**Representative Longmuir:** Looking at this I have lots of concerns about it. Let's say there is an item in Common Core that the teachers think we should have for North Dakota and according to this bill they would not be able to look at that because it was parallel to Common Core. You are really stopping the educators from keeping the good standards. Who better is there to write the standards than those who are teaching.

**Representative Mock:** There is a lot of discussion that we are throwing out all consortiums and requiring us in statute to adopt another state's standards, actually the 2008 and 2009 Massachusetts standards. Which they no longer use. It specifically states that the Department may not implement on page 4 line 22 of the bill, an assessment developed under this section unless the assessment is given statutory authority by the Legislative Assembly. Which means these standards are in statute and they can never be changed until we convene and give them a blessing. We may be the education committee but I assure you my future children deserve better than be writing their standards. I get where the supporters are coming from and I am glad the superintendent is writing North Dakota standards but I will not support this bill.

**Chairman- Mark S. Owens:** This guarantees us employment year round.

**Representative Mock:** As a Fiscal conservative I feel obligated to vote against this bill.

**Representative Zubke:** I move a Do Not Pass on HB 1432.

**Representative Guggisberg:** Seconded.



**Chairman- Mark S. Owens:** Any additional discussion?

**Representative Brandy Pyle:** The idea and intention for weeding the standards that are not good out, but replacing them with standards that nobody saw in the testimony, even if Common Core was adopted without fully understanding what we are getting ourselves into we would be doing the same thing. I cannot sign my name to something like that. It would be a disservice to our constituents to sign us up for something we have not vetted.

**Representative Ruby:** I pretty much concur with everyone. The only part I like in this bill is the fact we are not allowed to get into any multistate agreement. It is a lot of work to cut out all of the bad stuff. I think I will support a Do Not Pass on this bill, unless I am wrong and it is not that hard to cut everything out.

**Chairman- Mark S. Owens:** I realize that it says multistate for the purpose of standards, but we are tying the DPI's hands should something better come along. Look how the people reacted to Common Core and it wasn't around long. Even though I think they were confused on what was the lesson plan and what was Common Core.

**Representative Brandy Pyle:** Is the issue the standards or is it the curriculum and the questions students and the parents are struggling with? That is consistently what I got emails on.

**Chairman- Mark S. Owens:** Yes that is what I am saying they were confused by what was the lesson plan, the curriculum and what was Common Core and they mixed them all together. Common Core was nothing but a set of standards, actually minimum standards, and we could certainly improve on them.

**Vice Chairman Schreiber-Beck:** I think the thing that stands out is it is not even so much the standards as it is the Federal intervention into education. Essentially being involved with the multistate made it far less expensive plus if you moved to another place your child would still have the same work. The curriculum is modified at every district level. The best statement made is do you want us directing to how brain surgeons should be doing brain surgery. If we can't trust our educators to write standards that are applicable. This is more against the Federal government and we all like local control. Now we are trying to indicate how everything should be administered and done and that is wrong.

**Representative Oliver:** 2010 Indiana made the move to get away from Common Core, it took them 4 years to get away completely. We need to be patient and let DPI and the teachers that are doing the new curriculum. It will take some time. We can't just get rid of everything at once. Let them do their work.

**Representative Rick S. Becker:** I am confused on this bill that is using the original Massachusetts law and that even they are not using that law anymore. What is the standard that we are trying to use from the Massachusetts law and why are they not using it anymore?

**Vice Chairman Schreiber-Beck:** The website at Massachusetts is where you can go look at it for reference. Massachusetts is on their second rewrite of their standards following the standards that are listed in this bill to use, which is the 2007-2008 I believe. Those standards were utilized at one time and why they think they are good is there is a woman that wrote

them that is very much anti- Common Core. She did testify at our committee two years ago and she is touted as one of the experts in the arena of elementary education and standards writing. Massachusetts got out of it because they went to Common Core. Standards are rewritten every 4-5 years. It is a policy that takes place.

**Representative Brandy Pyle:** I find it funny we want the Federal government out of education system but we want to put it in the hands of the state elected officials. So in a couple years it will come back with complaints of the school districts and parents. It keeps going around.

**Representative Ruby:** I can see where we would put in where we would not sign into a multistate standard. If we write our standards and a few years later another state has something that is touted as top of the line, we can then write them off that one but for North Dakota. It will not be 100% what we should be teaching up here. If you sign up for something Federal such as Common Core than you are stuck in Common Core. That is why we should consider not having the multistate.

**Vice Chairman Schreiber-Beck:** There was the opportunity with Common Core to change and modify some of your state's needs. It was always the practical thing to do, and the other thing the costs is lower if you use a multistate agreement. It can be hundreds of thousands of dollars of cost saved.

**Representative Ruby:** That's what scares me because we can be lured in because it is so much cheaper.

**Chairman- Mark S. Owens:** Do you really think anyone is going to jump on a band wagon writing over standards after the Common Core event and after us going through right now to write new standards for North Dakota by North Dakota educators. I don't think we have to worry about that too much but I understand your point. Any further discussion? We have a motion for a Do Not Pass on HB 1432.

Roll Call Vote: Yes 14 . No 0. Absent 0. Motion carries for Do Not Pass on HB 1432.

**Vice Chairman Schreiber-Beck:** will carry the bill.

**Chairman- Mark S. Owens:** Hearing closed.

# 2017 HOUSE STANDING COMMITTEE MINUTES

Education Committee  
Coteau A Room, State Capitol

HB 1432  
2/8/2017  
Job 28026

- Subcommittee  
 Conference Committee

Committee Clerk Signature

## Explanation or reason for introduction of bill/resolution:

Relating to state assessments; to provide an effective date; and to declare an emergency.

## Minutes:

No attachments.

Chairman- Mark S. Owens: they are going to divide it on the floor, into what I understand three sections, they are going to take section 2 as one question to pass it out separately as if it was an independent bill, and then section 6 I believe as an independent bill, and the rest as the full bill.

Rep. Bill Oliver: there is going to be 2 sections, 2 and 6 is going to be in one, and the rest of it is going to be in the B.

Chairman- Mark S. Owens: ok, that is not what I understood today.

Rep. Bill Oliver: I just talked to Representative Koppelman this morning.

Chairman- Mark S. Owens: oh, ok that actually makes it easier. You voted no on the whole bill, you will have to decide if dividing it up changes your vote, but I do not see how it can, listen to the floor debate, and you are responsible for your own vote, I am not going to sit here and tell you how to vote, or even hint how to vote. But there was not a redeeming section in that bill in my opinion. Except maybe where it said, and renumber accordingly. OK, and where it said at the top "a bill", alright, so they are dividing it up to try to limit our participation in multi-state consortiums, and they think they are getting us out of the federal government, and by doing that, but what is going to happen, I will tell you exactly what one part is going to do, one part they are going say, get us out of the common core altogether, let's say we pass it, we put it into law, next session you are going to get e-mails and telephone calls swearing up and down the standards we have now read exactly like the standards before, because in their mind, they do not understand that when it says teach multiplication tables, there is only one way to say that in the standard, or you can simply wordsmith it, but to them that means it's common core and we have to get rid of it, by the time they edit all the standards with the common core, this minority group of people who have very little knowledge of education in my opinion, that is right, I am putting it on the record, in North Dakota you won't be able to teach your kids anything. And if the other part passes, about the

Massachusetts standards, we are going to send an entire generation of high school students back to the 20<sup>th</sup> century, so. They are going to move it to the top, it will be the first bill out the gate today at 1PM. We are going to get it done, first thing. Let's just have the argument and be done with it. But a lot of people are reacting to the squeaky wheel, so it will be interesting.

Date: 2/1/17

Roll Call Vote # 1

**2017 HOUSE STANDING COMMITTEE  
ROLL CALL VOTES  
BILL/RESOLUTION NO. HB 1432**

House Education Committee

Subcommittee

Amendment LC# or Description: \_\_\_\_\_

- Recommendation:  Adopt Amendment  
 Do Pass  Do Not Pass  Without Committee Recommendation  
 As Amended  Rerefer to Appropriations  
 Place on Consent Calendar
- Other Actions:  Reconsider  \_\_\_\_\_

Motion Made By Rep. Zubke Seconded By Rep. Guggisberg

Representatives	Yes	No	Representatives	Yes	No
Chairman- Mark S. Owens	✓		Rep. Andrew Marschall	✓	
Vice Chairman- Cynthia Schreiber-Beck	✓		Rep. Bill Oliver	✓	
Rep. Rich S. Becker	✓		Rep. Brandy Pyle	✓	
Rep. Pat D. Heinert	✓		Rep. Matthew Ruby	✓	
Rep. Dennis Johnson	✓		Rep. Denton Zubke	✓	
Rep. Mary Johnson	✓		Rep. Ron Guggisberg	✓	
Rep. Donald W. Longmuir	✓		Rep. Corey Mock	✓	

Total (Yes) 14 No 0

Absent 0

Floor Assignment Rep. Schreiber-Beck

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

**REPORT OF STANDING COMMITTEE**

**HB 1432: Education Committee (Rep. Owens, Chairman)** recommends **DO NOT PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1432 was placed on the Eleventh order on the calendar.

2017 TESTIMONY

HB 1432

Attachment 1a

HB 1432

1/30/17

1/30/16- HB 1432 Testimony- Ben Koppelman

Mr. Chairman and Members of the Committee, I am Rep. Ben Koppelman from West Fargo, and I represent District 16. I am here to introduce and explain HB 1432.

How many of you think it would be a bad idea if we, here in North Dakota, were in charge of directing our children's education?

That is the baseline intent of this bill. This bill will ensure that we have control of our standards, assessments, and curriculum without the outside influence of the "one size fits all" approach promoted by the Federal government.

For those of you who are not aware, the Common Core Standards are a set of course content standards that were initiated by the National Governors Association with heavy influence from the Obama Administration and his Education Secretary Arnie Duncan as well as benefactors such as the Gates Foundation and Pearson Publishing. The Federal government funded the creation of testing consortia, such as Smarter Balanced and PARCC. The Fed's also spent billions of dollars on "Race to the Top" grants (which ND did not apply for or receive) which required states to adopt Common Core as a condition of getting the money. Throughout the implementation of these standards and the aligned assessments and curriculum, parents have voiced concerns about the quality of the standards as well as the potential for data-mining of their children.



Section 2 of the bill ensures that North Dakota maintains its authority and autonomy to choose what standards are right for its students independent of any pressure or influence of any national consortium or initiative. Section three of the bill is simply house-keeping corrections by legislative council.

After plenty of debate last legislative session, I was happy to hear this last spring that the Superintendent of Public Instruction was going to take the first step away from common core by withdrawing from the Smarter Balanced Assessment Consortium. The next good news appeared in a headline which said "ND Superintendent Announces Beginning of Move Away from Common Core Standards". That is exactly what section 4 of the bill does. It directs the state to exit Common Core (and all of its derivatives), and directs the Supt. of Public Instruction to terminate areas of Federal control over our standards, assessments, and curriculum.

In another article Ms. Baesler was quoted as saying "We will create a set of standards by North Dakotans for North Dakotans.", and in a press release, she said "Our teachers will be developing these new Math and English standards, and they will have the free rein to do so. They will decide what starting point they will use and what these new standards will be called." That all sounded good, until I heard how things went during the first couple of meetings of the standards committee.

One teacher member of the standards committee gave an account of the "non-choice" they were given at their first meeting in June of 2016. In addition to the

teacher members of the standards committee, the meeting was attended by Greg Gallagher (The ND DPI director of assessments) as well as a facilitator from REL (the Regional Educational Laboratory that has been funded by the US Dept. of Education to facilitate the implementation of the Common Core). In an exchange between Gallagher and the REL facilitator it was made clear that the group had three options. 1. Scrap the ND Common Core Standards and start from scratch, 2. Keep them the same and do nothing, or 3. Review and revise to the extent that the Common Core copyright would allow (15%- addition only). Given the fact that they had only been allowed 3 meetings prior to the deadline for the first draft to be completed, option 1 was out (even though this may have been the preferred option if they were allowed the appropriate amount of time to complete such a task). Option 2 was out since the public has been so up in arms about wanting different standards, leaving option 3 as the only viable option. The teachers then proceeded to make small additions and changes to the standards making sure to eliminate any reference to the "Common Core". At the very next meeting, which was in July, they were rushed to complete the first draft in time for a press conference that had been previously scheduled.

The end result is a set of supposedly new standards that when set next to the Common Core standards, look nearly exactly alike. I have attached examples for your review. Because of the inability of the standards committee to truly develop new standards due to time constraints, I included the language in Section 5 which directs the Supt. to adopt and implement the Massachusetts standards and assessments that were in effect prior to the implementation the Common Core standards.

Some of you may be wondering why this bill instructs us to implement the Massachusetts Standards and Assessments. You may be trying to figure out what a “red state” like North Dakota could possibly have in common with a “blue state” such as Massachusetts. Well, it has less to do with politics and more to do with performance. These standards were written by some of the best academic minds in their state with assistance from some of their nationally renowned colleges and universities such as MIT. Unlike the Common Core Standards, these standards were benchmarked nationally and internationally in Math, Science, and English Language Arts. As an added bonus, it turns out that the standards and test questions are free for anyone to use as long as it is for educational purposes.

Prior to the implementation of their 2000-2001 Mathematics and English Language Arts (ELA) standards, Massachusetts (MA) scored somewhere in the 60<sup>th</sup> percentile on the National Assessment of Educational Progress (NAEP) tests, and by 2005, “the Bay State” students achieved first place on the NAEP tests, in grade 4 and in grade 8, in reading and math, and they remained in or near first place on five consecutive tests in both subjects at both grade levels (2007, 2009, 2011, 2013, and 2015). All demographic groups improved. MA also participated as a “country” in the Trends in International Mathematics and Science Study (TIMSS) in 2007 and 2011, in both years tying for first place with Singapore in grade 8 science and placing among the top six countries in grade 8 mathematics, thus corroborating state results on the “national report card”. You might be wondering why Massachusetts is not still using these standards. Well, to get the answer to that, you just have to follow the money. In 2010, Massachusetts was

awarded a "Race to the Top Grant" in the amount of \$250M in exchange for ditching their quality standards in favor of The Common Core. Since the implementation of Common Core's standards, NAEP scores have declined and there have been no increases in student achievement on other tests such as the AP exam. Probably the best indicator of the failure of Common Core, is evident when you look at the cohort of students that have not known anything but common core. In the grade 4 NAEP scores, MA saw the first decline in over a decade as a result of their switch to Common Core.

One of the main differences between the Massachusetts pre-Common Core standards and that of the Common Core Standards was philosophy. The Common Core standards' stated goal is to close gaps-- this is achieved by lowering the achievement of the top 50% and by trying to raise the bottom, whereas the 2000/2001 standards sought to increase all student achievement. The end result of the 2000/ 2001 standards: all demographic groups improved, but the gains of the lower-achieving students were at an accelerated rate.

Section 5 also codifies the commonly accepted rights of parents to direct their child's education as well as guards against intrusive data collection that a parent might find offensive. It goes on to lay a basic groundwork for districts to follow when making new curriculum which involves the collaboration of teachers and administrators as well as input from parents. Section 6 prohibits a state agency from using state resources to advance the Common Core standards, assessments, or any derivative thereof.

This bill creates an advise and consent method of approving standards and assessments in the future. This bill would continue to allow the Supt. Of Public Instruction to facilitate the creation of new standards, and then require the legislature to approve or “ratify” any new standards or assessments that are to be adopted following the first five years of implementation. You may ask why the legislature should be involved. It is based on the simple principle of divided government in a representative republic where the legislative branch develops or approves policy and the executive branch executes that policy. Anytime the executive branch is able to make policy as well as carry it out, it limits the input that the electorate has on the process.

Some of you may have concerns about the fiscal note. This note assumes the loss of all Federal funds. Since the intent of the bill was to eliminate outside control of standards, assessments, and curriculum; amendments could be made to clarify this portion of the bill. Since most of our Federal funding is for Title programs that do not affect the standards, assessments, and curriculum, I believe that this clarification will address much of the fiscal note. The other notable cost item on the fiscal note is the assumption that we would have to "re-create" our assessment every year if it was posted on the website. I don't know that this is as much of a problem as one might think, however, there may be ways to work around this by allowing the test to be viewed upon parental request. I would be happy to work with the committee to propose any amendments that are necessary to achieve the intent of this bill.

Mr. Chairman and members of the Committee, in order to rid our state of Common Core, it is imperative that it be removed by the roots. When a doctor encounters a tumor with cancer at its center, he does not trim around the edges to cure the patient, but instead completely cuts the tumor out to prevent spreading of the disease. North Dakota's education system is the patient, and Common Core is cancer. Please join me in curing our state by removing Common Core and adopting the standards and assessments that our children deserve, standards that have a proven track record of success.

Thank you for your time, and I will stand for any questions that you may have.

# Common Core Forum

Social



## Why Massachusetts Should Vote Out Common Core's Standards in November 2016 and Restore its Superior Pre-Common Core Standards

Posted on May 12, 2016 by Sue Panciocco

Why Massachusetts Should Vote Out  
Common Core's Standards in November 2016 and  
Restore its Superior Pre-Common Core Standards

Sandra Stotsky

May 2016

1) Status of Common Core in Massachusetts

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8

The Massachusetts Board of Education adopted Common Core's standards in July 2010 to replace its own 2000/2004 mathematics standards and 2001/2004 English language arts standards, chiefly for \$250,000,000 in Race to the Top funds. At the commissioner of education's request, the Board later voted to include with the Common Core ELA standards the Guiding Principles in the 2001 ELA framework and its two appendices of recommended authors (vetted in K-8 by the editors of *The Horn Book*—the premier children's literature magazine in the country). Also adopted later that year were a few additional standards in mathematics and ELA—to comprise the additional 15% the state was told it could add to Common Core's. These additions all appear in the 2011 versions of the state's mathematics and English language arts curriculum frameworks. The state's pre-Common Core science and pre-engineering standards were revised to some extent in 2015 but there is no clear information on how closely they align to Next Generation Science Standards (NGSS).

The state by law must use Common Core's standards for the development of MCAS 2. In an effort to avert the educational catastrophe in store for the Bay State, a small number of signatures are being collected in Massachusetts to complete the legal process for a question on the November 2016 ballot to eliminate Common Core's standards and restore the state's superior pre-Common Core standards.

[http://www.bostonglobe.com/metro/2016/04/19/grassroots-bid-scrap-common-core-from-mass-schools-faces-challenges/oLalEepC5Z1GuYYrQbEDHN/story.html?s\\_campaign=8315](http://www.bostonglobe.com/metro/2016/04/19/grassroots-bid-scrap-common-core-from-mass-schools-faces-challenges/oLalEepC5Z1GuYYrQbEDHN/story.html?s_campaign=8315)

<https://www.bostonglobe.com/metro/2016/04/19/grassroots-bid-scrap-common-core-from-mass-schools-faces-challenges/oLalEepC5Z1GuYYrQbEDHN/story.html>

## 2) Pre-Common Core Performance of Massachusetts Students

In 2005, Bay State students achieved first place on National Assessment of Educational Progress (NAEP) tests, in grade 4 and grade 8, in reading and mathematics, and they remained in or near first place on five consecutive tests in both subjects at both grade levels (2007, 2009, 2011, 2013, and 2015). All demographic groups improved. The Bay State also participated as a country in Trends in International Mathematics and Science Study (TIMSS) in 2007 and 2011, in both years tying for first place with Singapore in grade 8 science and placing among the top six countries in grade 8 mathematics, thus corroborating state results on the "nation's report card." In addition, most Bay State regional vocational/technical high schools (about 30, all with grades 9-12) now have high pass rates in mathematics and English on the state's high school tests, an attrition rate that is close to zero, and waiting lists.

## 3) Post-Common Core Performance of Massachusetts Students

- 📅 July 2016
- 📅 May 2016
- 📅 March 2016
- 📅 February 2016
- 📅 January 2016
- 📅 July 2015
- 📅 June 2015
- 📅 April 2015
- 📅 March 2015
- 📅 January 2015
- 📅 September 2014
- 📅 July 2014
- 📅 June 2014
- 📅 May 2014

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Since implementation of Common Core's standards, average scores have declined slightly on NAEP tests; some declines have statistical significance. There are no increases in student achievement on other tests or in the percentages taking AP tests or getting scores of 4 or 5. The long-lasting gains from 2005 to 2015 may be attributed both to the quality of the state's K-12 standards and to the changes in 1999-2003 strengthening academic requirements in licensure regulations for teachers and administrators, prospective teachers' licensure tests, and professional development criteria for in-service teachers.

The following link is for a report on the slight declines:

<http://learninglab.wbur.org/2015/10/28/nations-report-card-shows-massachusetts-at-the-top-but-slipping/>.

The following link is for a review of a book on the changes to the state's teacher licensure regulations and licensure tests.

[http://www.goacta.org/the\\_forum/from\\_the\\_bookshelf\\_an\\_empty\\_curriculum\\_the\\_need\\_to\\_reform\\_teacher\\_licensing](http://www.goacta.org/the_forum/from_the_bookshelf_an_empty_curriculum_the_need_to_reform_teacher_licensing)

#### **4) Differences between Massachusetts' Pre-Common Core Standards and Common Core's Standards**

Basic differences start with philosophy. The goal of the 1993 Massachusetts Education Reform Act was to increase all students' achievement. That was the aim of the standards, the changes in teacher preparation, and both student and teacher tests. We were not trying to close gaps—as Common Core says it is trying to do—by lowering the achievement of the top 50% and by trying to raise the bottom. In other words, our goal was not to reduce variation in achievement. The end result: all demographic groups improved, but the gains of lower-achieving students accelerated.

The second major difference concerns the focus of the state's ELA standards. The state's English teachers wanted an emphasis on literary study. The lack of alignment between the Bay State's 2001 ELA standards and Common Core's can also be seen in the differences between the tests based on these standards (i.e., the state's own tests and the Common Core-based tests). English teachers also wanted an emphasis on literary, not nonfiction, works in state tests (recommending a 60% to 40% distribution), as well as a stress on older rather than contemporary works. Differences between the reading, writing, and vocabulary test items in the state's original tests (Massachusetts Comprehensive Assessment System, or MCAS) and in the Common Core-based practice tests for the Partnership for the Assessment of Readiness for College and Careers (PARCC) are explained in a research paper published in the fall of 2015. <http://pioneerinstitute.org/news/testing-the-tests-why-mcas-is-better-than-parcc/>.

**5) Why Massachusetts Should Repeal Common Core Standards and Replace Them with its Superior Pre-Common Core Standards in Mathematics, ELA, and Science**

*The most important reasons to repeal the state's Common Core standards are:*

1. Common Core's standards are not rigorous and do not make students ready for a high school diploma, never mind authentic college coursework.
2. Common Core's standards lack a research base and international benchmarking. The "lead" standards' writers lacked background experience and competence for writing K-12 standards (David Coleman and Susan Pimentel in ELA, and Jason Zimba and William McCallum in mathematics). None had teaching experience in K-12, and there is no record that they used appropriately the feedback they received from hundreds of reviewers.
3. A K-12 mathematics curriculum tailored to Common Core's mathematics standards and tests does not support the strong K-12 science curriculum developed by the state's science teachers to address the state's pre-NGSS science and pre-engineering standards.

*Massachusetts should replace Common Core's standards with the state's superior pre-Common Core standards because:*

1. Massachusetts pre-Common Core standards in ELA, mathematics, science, and history/social science are the only sets of K-12 state standards in the country with empirical evidence to support their effectiveness.
2. They are also among the few sets of K-12 standards thoroughly vetted by high school teachers and academic experts in the subject areas they address. The lists of recommended authors by educational level in Appendix A and Appendix B in the ELA curriculum framework were approved by a large majority of the state's English teachers, and all test items were vetted by them.
3. The Michigan Senate has passed a bill (SB 826) that eliminates Common Core and substitutes its standards with the Massachusetts pre-Common Core standards. Many parents and legislators in Michigan reviewed our former standards and decided they were preferable to any other set of standards in ELA, math, and science.
4. The costs for switching are minimal. The state's 2000 mathematics and 2001 ELA standards are still available, and most of the original test items from 2000 to 2007 are available, requiring a company only to assemble them and handle logistics and reporting. Moreover, it is likely that no extra professional development will be needed by the state's teachers to teach to them.
5. State tests based on the Bay State's pre-Common Core standards evoked no complaints from parents or students, and took up much less preparation and

testing time than Common Core-based tests seem to need. All used test items (except "anchor" items) were released annually until 2007 and used by teachers for instructional purposes.

6. The content of all the Massachusetts pre-Common Core standards and tests was vetted by a number of academic experts, and standards were placed by the state's teachers at appropriate grade levels. They also participated in setting passing scores and performance levels, along with parents and legislators.

7. The Bay State should retain its 2003 History and Social Science standards. These standards were checked by a multitude of scholars to ensure they were historically accurate as well as fair in their coverage of geography, economics, and civic concepts and required civic reading. The standards for "citizenship" proposed by Common Core advocates and advertised as suitable for "college, career, and citizenship" do not require study of the country's seminal political documents.

**Credentials:** These comments are based on my professional judgment and experience as senior associate commissioner in the Massachusetts Department of Elementary and Secondary Education from 1999-2003, where I was in charge of the development or revision of the state's K-12 standards in all major subjects (including English language arts, mathematics, science and technology, and history/social science), licensing regulations for teachers and administrators, teacher licensure tests, and professional development criteria. In addition, I reviewed all states' English language arts standards for the Thomas B. Fordham Institute in 1997, 2000, and 2005. I co-authored Achieve, Inc.'s American Diploma Project high school exit test standards for English in 2004. Finally, I served on Common Core's Validation Committee in 2009-2010. I have also written and published many articles, research reports, and books in the English language arts, serving as editor of *Research in the Teaching of English* (the major research journal for English teachers) in the 1990s.

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News

One comment

« Acts of deception have morphed into bullying  
Our judiciary failed our public schools – and our democracy »

ONE COMMENT

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LEAVE A REPLY

2017

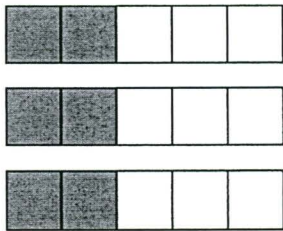
Attachment 16 HB 1432

1/30/17

A

B

**Cluster: Build fractions from unit fractions by applying and extending previous understandings of operations on whole numbers.**

Code	Standards	Annotation
4.NF.3	<p>Understand a fraction <math>a/b</math> with <math>a &gt; 1</math> as a sum of unit fractions <math>1/b</math>.</p> <p>a. Understand addition and subtraction of fractions as joining and separating parts referring to the same whole.</p> <p>b. Decompose a fraction into a sum of fractions with the same denominator in more than one way, recording each decomposition with an equation.</p> <p style="padding-left: 20px;">Justify decompositions by using a visual fraction model or other strategies.</p> <p>c. Add and subtract mixed numbers with like denominators.</p> <p>d. Using visual fraction models and equations, solve word problems involving addition and subtraction of fractions referring to the same whole and having like denominators.</p>	<p>If <math>a = 5</math>, <math>b = 6</math>  <math>5/6 = 1/6 + 1/6 + 1/6 + 1/6 + 1/6</math></p> <p>Examples:  <math>3/8 = 1/8 + 1/8 + 1/8</math>  <math>3/8 = 1/8 + 2/8</math>  <math>2 \frac{1}{8} = 1 + 1 + 1/8</math> or <math>8/8 + 8/8 + 1/8</math></p> <p>Example:  <math>7 \frac{1}{5} = 7 + 1/5 = 35/5 + 1/5 = 36/5</math></p> <p><del>By replacing each mixed number with an equivalent fraction, and/or by using properties of operations and the relationship between addition and subtraction.</del></p>
4.NF.4	<p>Apply and extend previous understandings of multiplication to multiply a fraction by a whole number.</p> <p>a. Understand a fraction <math>a/b</math> as a multiple of <math>1/b</math>.</p> <p>b. Understand a multiple of <math>a/b</math> as a multiple of <math>1/b</math>, and use this understanding to multiply a fraction by a whole number.</p> <p>c. Using visual fraction models and equations, solve word problems involving multiplication of a fraction by a whole number.</p>	<p>Example: Use a visual fraction model to represent <math>5/4</math> as the product <math>5 \times (1/4)</math>, recording the conclusion by the equation <math>5/4 = 5 \times (1/4)</math>.</p> <p>Example: <del>Use a visual fraction model to express <math>3 \times (2/5)</math> as <math>6 \times (1/5)</math>, recognizing this product as <math>6/5</math>. (In general, <math>n \times (a/b) = (n \times a)/b</math>).</del></p> <p><u><math>3 \times 2/5 =</math></u></p> <div style="text-align: center;">  </div> <p><u>Using the visual model relate the skip counting pattern 2, 4, 6... to <math>3 \times 2 = 6</math>, the same is true of <math>2/5, 4/5, 6/5...</math> to <math>3 \times 2/5 = 6/5</math>.</u></p> <p>Example: If each person at a party will eat <math>3/8</math> of a pound of roast beef, and there will be 5 people at the party, how many pounds of roast beef will be needed? Between what two whole numbers does your answer lie?</p>

207

**Cluster: Understand decimal notation for fractions, and compare decimal fractions.**

Code	Standards	Annotation
4.NF.5	Express a fraction with denominator 10 as an equivalent fraction with denominator 100.  Use this technique to add two fractions with respective denominators 10 and 100.	Example: Express $\frac{3}{10}$ as $\frac{30}{100}$ and add $\frac{3}{10} + \frac{4}{100} = \frac{34}{100}$ .  Students who can generate equivalent fractions can develop strategies for adding fractions with unlike denominators in general. But addition and subtraction with unlike denominators in general is not a requirement at this grade.
4.NF.6	Use decimal notation for fractions with denominators 10 or 100.	Example: Rewrite $\frac{62}{100}$ as 0.62; describe a length as 0.62 meters; or locate 0.62 on a number line diagram.
4.NF.7	Compare two decimals to hundredths by reasoning about their size.  Recognize that comparisons are valid only when the two decimals refer to the same whole.  Record the results of comparisons with the symbols $>$ , $=$ , or $<$ , and justify the conclusions.	

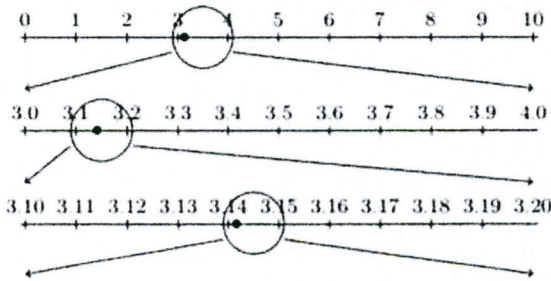
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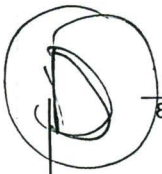
2017

**Domain: The Number System**

**8.NS**

**Cluster: Know that there are numbers that are not rational, and approximate them by rational numbers.**

Code	Standards	Annotation
8.NS.1	<p>Know that numbers that are not rational are called irrational.</p> <p>Understand informally that every number has a decimal expansion; for rational numbers show that the decimal expansion repeats eventually.</p> <p>Convert a decimal expansion which repeats eventually into a rational number.</p>	
8.NS.2	<p>Use rational approximations of irrational numbers to compare the size of irrational numbers, locate them approximately on a number line diagram, and estimate the value of expressions (such as <math>\pi^2</math>).</p>	<p>Example: By using estimation and truncating the decimal expansion of <math>\sqrt{2}</math>, show that <math>\sqrt{2}</math> is between 1 and 2, then by further estimation that it is between 1.4 and 1.5, and explain how to continue on to get better approximations.</p> <p>Example:</p> <p style="text-align: center;"><b>Zooming in on <math>\pi</math></b></p>  <p>The number <math>\pi</math> has an infinite non-repeating decimal expansion which determines each successive sub-interval to zoom in on.</p>



2017

**Domain: Expressions and Equations**

**8.EE**

**Cluster: Work with radicals and integer exponents.**

Code	Standards	Annotation
8.EE.1	Develop, know and apply the properties of integer exponents to generate equivalent numeric and algebraic expressions.	Conceptual understanding of the rules is necessary.  Example: $3^2 \times 3^{-5} = 3^{-3} = 1/3^3 = \frac{1}{27}$ .  Example: $\frac{2x^{-4}y^5}{6x^2y^{-4}} = \frac{2y^4y^5}{6x^2x^4} = \frac{y^9}{3x^6}$
8.EE.2	Use square root and cube root symbols to represent solutions to equations of the form $x^2 = p$ and $x^3 = p$ , where p is a positive rational number.  Evaluate square roots of small perfect squares and cube roots of small perfect cubes.  Classify radicals as rational or irrational.	Example: $x^2 = 25, \sqrt{x^2} = \sqrt{25}, x = \pm 5$  Example: $x^3 = 125, \sqrt[3]{x^3} = \sqrt[3]{125}, x = 5$
8.EE.3	Use numbers expressed in the form of a single digit times an integer power of 10 to estimate very large or very small quantities, and to express how many times as much one is than the other.	Example: Estimate the population of the United States as $3 \times 10^8$ and the population of the world as $7 \times 10^9$ , and determine that the world population is more than 20 times larger.
8.EE.4	Perform operations with numbers expressed in scientific notation, including problems where both decimal and scientific notation are used.  Use scientific notation and choose units of appropriate size for measurements of very large or very small quantities (such as use millimeters per year for seafloor spreading).  Interpret scientific notation that has been generated by technology.	Scientific notation: a way of representing large or small numbers by using a number from 1 up to (but not including) 10 times an integer power of 10.

2011

fractions refer to the same whole. Record the results of comparisons with symbols  $>$ ,  $=$ , or  $<$ , and justify the conclusions, e.g., by using a visual fraction model.

the denominator thus the fraction is less than  $\frac{1}{2}$ ; in the second fraction the numerator is greater than  $\frac{1}{2}$  of the denominator thus the fraction is greater than  $\frac{1}{2}$ .

**Cluster: Build fractions from unit fractions by applying and extending previous understandings of operations on whole numbers.**

Code	Standards	Annotation
A 4.NF.3	Understand a fraction $a/b$ with $a > 1$ as a sum of fractions $1/b$ .	
	a. Understand addition and subtraction of fractions as joining and separating parts referring to the same whole.	
	b. Decompose a fraction into a sum of fractions with the same denominator in more than one way, recording each decomposition by an equation. Justify decompositions, e.g., by using a visual fraction model. Examples: $\frac{3}{8} = \frac{1}{8} + \frac{1}{8} + \frac{1}{8}$ ; $\frac{3}{8} = \frac{1}{8} + \frac{2}{8}$ ; $2 \frac{1}{8} = 1 + 1 + \frac{1}{8} = \frac{8}{8} + \frac{8}{8} + \frac{1}{8}$ .	
	c. Add and subtract mixed numbers with like denominators, e.g., by replacing each mixed number with an equivalent fraction, and/or by using properties of operations and the relationship between addition and subtraction.	Example (ND): $1\frac{1}{4} + 2\frac{1}{4} = 3\frac{2}{4}$ $\frac{5}{4} + \frac{9}{4} = \frac{14}{4}$
d. Solve word problems involving addition and subtraction of fractions referring to the same whole and having like denominators, e.g., by using visual fraction models and equations to represent the problem.		
B 4.NF.4	Apply and extend previous understandings of multiplication to multiply a fraction by a whole number.	
	a. Understand a fraction $a/b$ as a multiple of $1/b$ . For example use a visual fraction model to represent $\frac{5}{4}$ as the product $5 \times (\frac{1}{4})$ , recording the conclusion by the equation $\frac{5}{4} = 5 \times (\frac{1}{4})$ .	
	b. Understand a multiple of $a/b$ as a multiple of $1/b$ , and use this understanding to multiply a fraction by a whole number. For example, use a visual fraction model to express $3 \times (\frac{2}{5})$ as $6 \times (\frac{1}{5})$ , recognizing this product as $\frac{6}{5}$ . (In general, $n \times (\frac{a}{b}) = (\frac{n \times a}{b})$ ).	
	c. Solve word problems involving multiplication of a fraction by a whole number, e.g., by using visual fraction models and equations to represent the problem. For example: If each person at a party will eat $\frac{3}{8}$ of a pound of roast beef, and there will be 5 people at the party, how many pounds of roast beef will be needed? Between what two whole numbers does your answer lie?	

**Cluster: Understand decimal notation for fractions, and compare decimal fractions.**

Attachment 1c HB 1432

Attachment 1c

1/30/17



2011

C

Code	Standards	Annotation
4.NF.5	Express a fraction with denominator 10 as an equivalent fraction with denominator 100, and use this technique to add two fractions with respective denominators 10 and 100. <i>For example, express <math>\frac{3}{10}</math> as <math>\frac{30}{100}</math> and add <math>\frac{3}{10} + \frac{4}{100} = \frac{34}{100}</math>.</i>	Students who can generate equivalent fractions can develop strategies for adding fractions with unlike denominators in general. But addition and subtraction with unlike denominators in general is not a requirement at this grade. (CCSS)
4.NF.6	Use decimal notation for fractions with denominators 10 or 100. <i>For example, rewrite 0.62 as <math>\frac{62}{100}</math>; describe a length as 0.62 meters; locate 0.62 on a number line diagram.</i>	
4.NF.7	Compare two decimals to hundredths by reasoning about their size. Recognize that comparisons are valid only when the two decimals refer to the same whole. Record the results of comparisons with the symbols $>$ , $=$ , or $<$ , and justify the conclusions, e.g., by using a visual model.	

**Domain: Measurement and Data****4.MD****Cluster: Solve problems involving measurement and conversion of measurements from a larger unit to a smaller unit.**

Code	Standards	Annotation
4.MD.1	Know relative sizes of measurement units within one system of units including km, m, cm; kg, g; lb, oz; l, ml; hr, min, sec. Within a single system of measurement, express measurements in a larger unit in terms of a smaller unit. Record measurement equivalents in a two-column table. For example, know that 1 ft is 12 times as long as 1 in. Express the length of a 4 ft snake as 48 in. Generate a conversion table for feet and inches listing the number pairs (1, 12), (2, 24), (3, 36), ...	
4.MD.2	Use the four operations to solve word problems involving distances, intervals of time, liquid volumes, masses of objects, and money, including problems involving simple fractions or decimals, and problems that require expressing measurements given in a larger unit in terms of a smaller unit. Represent measurement quantities using diagrams such as number line diagrams that feature a measurement scale.	
4.MD.3	Apply the area and perimeter formulas for rectangles in real world and mathematical problems. <i>For example, find the width of a rectangular room given the area of the flooring and the length, by viewing the area formula as a multiplication equation with an unknown factor.</i>	<b>Perimeter Formula:</b> $P = a + b + c + d$ (ND)  <b>Area Formula:</b> $A = l \times w$ (ND)

**Cluster: Represent and interpret data.**

Code	Standards	Annotation
4.MD.4	Make a line plot to display a data set of measurements in fractions of a unit ( $\frac{1}{2}$ , $\frac{1}{4}$ , $\frac{1}{8}$ ). Solve problems involving addition and subtraction of fractions by using information presented in line plots. For example, from a line plot find and interpret the difference in length between the longest and shortest specimens in an insect collection.	

2011

**Domain: The Number System** **8.NS**

**Cluster: Know that there are numbers that are not rational, and approximate them by rational numbers.**

D

Code	Standards	Annotation
8.NS.1	Know that numbers that are not rational are called irrational. Understand informally that every number has a decimal expansion; for rational numbers show that the decimal expansion repeats eventually, and convert a decimal expansion which repeats eventually into a rational number.	
8.NS.2	Use rational approximations of irrational numbers to compare the size of irrational numbers, locate them approximately on a number line diagram, and estimate the value of expressions (e.g., $\pi^2$ ). For example, by truncating the decimal expansion of $\sqrt{2}$ , show that $\sqrt{2}$ is between 1 and 2, then between 1.4 and 1.5, and explain how to continue on to get better approximations.	

**Domain: Expressions and Equations** **8.EE**

**Cluster: Work with radicals and integer exponents.**

E

Code	Standards	Annotation
8.EE.1	Know and apply the properties of integer exponents to generate equivalent numerical expressions. For example, $3^2 \times 3^{-5} = 3^{-3} = 1/3^3 = 1/27$ .	
8.EE.2	Use square root and cube root symbols to represent solutions to equations of the form $x^2 = p$ and $x^3 = p$ , where $p$ is a positive rational number. Evaluate square roots of small perfect squares and cube roots of small perfect cubes. Know that $\sqrt{2}$ is irrational.	Example: $x^2 = 25, \sqrt{x^2} = \sqrt{25}, x = \pm 5$ Example: $x^3 = 125, \sqrt[3]{x^3} = \sqrt[3]{125}, x = 5$
8.EE.3	Use numbers expressed in the form of a single digit times an integer power of 10 to estimate very large or very small quantities, and to express how many times as much one is than the other. For example, estimate the population of the United States as $3 \times 10^8$ and the population of the world as $7 \times 10^9$ , and determine that the world population is more than 20 times larger.	
8.EE.4	Perform operations with numbers expressed in scientific notation, including problems where both decimal and scientific notation are used. Use scientific notation and choose units of appropriate size for measurements of very large or very small quantities (e.g., use millimeters per year for seafloor spreading). Interpret scientific notation that has been generated by technology.	

3

## Testimony of Lori Hinz urging a DO PASS on HB 1432

1-30-17

The last line of this legislation reads "this act is an emergency". You bet it's an emergency. It is been an emergency for years as a "can" that has been "kicked down the road" repeatedly.

Excuses have been made. Repeatedly. Platitudes have been spewed. Repeatedly. Test results have been delayed and buried. Repeatedly.

Condescension toward parents by DPI and their allies, has reached a fever pitch. "You don't know what your children need, we are much smarter than you!" "You don't know what you're talking about."

Wrong. We know exactly what we're talking about, and since the last Legislative Session we have been closely watching. We've collectively had some time since the last session to let things sink in.

I think what most bothers me, is that the "intellectuals" of DPI take time out of their regular work days to come and testify against the wishes of parents who are paying taxes which pay their salaries! That is another bill -- I am aware -- but it strikes me as ironic that we struggle to get attendees to testify on bills such as this because parents are at a distinct disadvantage. We work at our regular jobs which do not afford us the luxury of testifying on our bosses' time and dime.

And why? I would like to know why it is that these Common Core standards are constantly pushed on us? I would like to point out that the brand new President of the United States ran touting his specific plan to eradicate Common Core, which, by the way, was met with great enthusiasm nationwide. It is unquestionably one of the reasons middle America voted for him despite his purported failings.

Meanwhile those of us in the individual states must once again battle and fight to rid ourselves of this very scourge. It frustrates me no end to be in this place again and again.

This bill, as written, is a VERY GOOD BILL. It is explicit in its desire to hold to account the Superintendent of Public Instruction. It is laid out in no uncertain terms what we as concerned parents desire of our North Dakota Department of Public Instruction and its implementation of the education of the children WE love more than life itself.

I can already predict from where the inevitable hostile dissension will come.

It will sound like this (you can follow along on your copy of HB 1432):

+ "The Superintendent can't possibly PARTICIPATE in the development of content standards for the state -- much too busy\* already." \*Perhaps limiting lobbying for Common Core in Legislative Sessions against parents will free up some time on behalf of the children in the state.

+ "You cannot possibly limit the POWER of the Superintendent and roll it back to the Legislature! It will slow everything down to have oversight and accountability to the...people!" (Protracted pause as that sentence sinks in.)

+ "Transparency? How dare you question the allocation of funds for our professional development. We're\* in charge here." \*Oh. Wait.

+ "We've ALREADY withdrawn from the SBAC. We're out of that already! What more\* do you people want???" \*As is stated in the bill, ALL OF IT. It's been demonstrated and made clear to us you will do the absolute bare minimum of what is asked, therefore we need to spell it out for you succinctly: assessments, data collection, instructions ON Common Core, no more plans, programs, activities, efforts, and expenditures. And for the love of God, TERMINATE AREAS OF FEDERAL CONTROL. No, you haven't done all this yet.

+ "Done by July 1st, 2017? Are you kidding? We can't possibly get all this accomplished by then!" What's the problem? Going back to already established and successful standards is too "complicated"?

There will be other arguments. Many more than these I've addressed. But the bottom line is this: This failed experiment on our children -- Has. Not. Worked.

More than hurtling our kids' education backwards at a breakneck pace, it has further managed to drive a wedge between children and their own parents. (Ever tried to help a kid with math?) A wedge between Administrators and Teachers. (You will be assimilated.) An even bigger chasm between Parents and the Department of Public Instruction. (When DPI views Parents as "the enemy," you cannot tell me this is a good thing.)

We've had enough division in this country and state, thank you very much.

No more mere lip service. Let's support and PASS this good bill and truly return the education of our children to the Parents and Teachers of North Dakota.

Thank you.

Lori Hinz, Mother of three  
District 47  
Bismarck, North Dakota

2

Attachment 3 HB 1432  
1/30/17

Good morning to you all. My name is Mindy Backsen and I am here in support of House Bill 1432. I am a mother of 3 children all of whom are in the Bismarck Public School system.

While I could stand here this morning and tell you all of what I know about the Common Core, I will spare you my years of research and keep this as simple as I can.

The standards piece of Common Core is a fraction of what the Core encompasses. However it is the standards that is largely the focus because they have a direct impact on North Dakota's most precious gift and that is minds of our children. This is why parents and grandparents, and many people across our state are so passionate about this topic.

Common Core was adopted in ND not because the standards were superior & internationally bench marked, not because our teachers wanted it, not because it was in the best interest of our children, not because our Governor and legislators felt that our kids weren't smart enough... our state took upwards of \$85.6 million ARRA (American Recovery & Reinvestment Act) dollars through the State Fiscal Stabilization fund application which required our state to comply with updating our state standards as well as collecting additional data on our children. The final draft of the standards hadn't even been completed when our state agreed to adopt them.

When Gov. Hoeven & Wayne Stanstead signed the application for the funds, they agreed that North Dakota would comply with section 6401 of the America Competes Act which (in short) says we will align our standards, assessments and CIRCULA. I support House Bill 1432 because it puts the necessary protection in place for this type of federal overreach to never happen again.

My point is this; we didn't adopt the Common Core Standards because of their superiority. We did it because we had to and unless this bill passes, we are in Common Core because there is no action being taken to get us out of it.

Now we are being told that ESSA (Every Student Succeeds Act) does away with Common Core. While that sounds great, that is not the reality. If you've reviewed the "new draft" of our state standards, you'll see they are the Common Core standards with some added language. What a sham! How much money did

it cost the tax payers of North Dakota to pay teachers and professionals to elude the writing of "new" standards?

Just because ESSA now allows for our state to choose whatever standards we want, doesn't mean that machine that is Common Core is dismantled. It's a great illusion though isn't it? What about all of the new curriculum? The new "common core aligned" text books, workbooks, the new Chrome books... What about all of the additional data being collected on our kids through high stakes testing?

North Dakota needs standards that are developmentally appropriate, written by qualified standards writers, less emphasis on testing and more emphasis on teaching and helping kids develop into who they were created to be. Not what the 21<sup>st</sup> Century work force wants them to be.

We need to get this right. You guys need to correct this. Yes, I realize it means un-doing what's been done. It's not too late yet. This isn't time to save face. This is the future of our state we are talking about and I would hate to see us continue down this road just because we took a wrong turn. Time to turn the car around and head the other direction.

Attachment 4 HB 1432

1/30/17

Testimony for Public Hearing  
Bill HB 1432

Good morning Education Committee Members. My name is Stacey Castleman. I am a proud mother of 4 children. 3 of my children attend public schools and 1 that I will choose to home school.

Most of us know this has been a long 5 years. We have followed suggestions from last session. We have gone to our schools, spoke to our principles, attended school Board meetings, meetings with Superintendents, sat on committees, and became delegates. Parents want their education fixed!

I support bill 1432. And I'm asking you for a DO PASS.

5 years ago Common Core was going to be the fix all education program. This experiment was not tested and remains unsuccessful, continues to fail our children. ND has a less than 50% proficiency rate in Math and English. How is this College and Career ready? The people, who continue to fight and testify to continue with common core or state the ESSA is great, are the people who are failing our children.

One of the pieces to this failed experiment is the world of data mining. Training our teachers that the only way to teach our kids is through tests. Teachers no longer know how are children are doing unless they see a number. My personal example of this came to my attention 2 weeks ago. My son who is a sophomore was placed in the lowest reading class. This is a class of 7 students because of a combination of 3 tests. Kids who were at 30% or lower based on the 3 tests. Confused about my son being place in this class I spoke to the school. I knew his number would be 0; he is opted out of testing. The counselor and vice Principle both told me it was based on numbers. Because he is opted out they go back to his last testing, which was in the 6<sup>th</sup> grade. No one spoke to his teachers to see how he was really doing. They only looked at the numbers. So for the last 4 years because of the numbers I found out he has been in all lower classes. I did let the Vice Principle administer an oral test; she called me and stated she was shocked at his advanced level because his number didn't indicate that. I want to scream!!! Where are the teachers who engage and know their students? Again, this is failing our students.

It is time to take our education back! I would be surprised if DPI does not support this bill based on the number of time Superintendant Baesler has stated that state and local control will help to determine for ourselves how measure our students and schools. It will give flexibility to have a system that guides and supports continuous improvement for all students.

Again, I want to remind you that parents are fighting for their children. If you remember the race for Superintendent was close. 98 vote close. People were willing to vote for someone they hardly knew just for change.

I know some of you walked in here with your own personal thoughts of how you want to vote. But I hope you think back to the door knocking, hand shaking, sign posting, and little town meetings. You are the people's voice. That is how you sit in those chairs. Listen to the people.

This bill is a great change for our children and their future. This is the right thing to do for ND.

Please vote a DO Pass for bill 1432.

Stacey Castleman



1/30/17

Hello Ladies and Gentlemen,

My name is Norberto A. Rivera, business owner in Valley City, Marine Corps Reservist based out of Minneapolis, and a concerned citizen testifying in favor of Rep. Ben Koppelman's HB 1432. I come not as parent, ideologue, but as a concerned citizen who saw firsthand the ineffectiveness of The No Child Left Behind Act and wants to avoid the further centralizing of education in a fast paced era of increasing change and decentralization.

Growing up in an impoverished neighborhood in San Diego, CA, I saw many of my classmates struggle to meet standards and learn English. I saw kids learning how to take exams but unable to do basic math. In high school algebra, I was one of those kids, learning how to eliminate two answers and pick the one that made the most sense. That didn't happen half the time as my math was way off. The state exams said I was above average, the written exam in class said otherwise.

It's not to say I didn't excel in certain areas. While I graduated without GPA honors, I did graduate with AP Honors, excelling in the college level social science exams and writing portions. Often I would ditch class for the library or some grassy knoll, to read ahead of what I was supposed to read in class or something entirely new.

The state didn't care that I was behind in certain areas and ahead in others, all that mattered was that I preform a certain way on an exam. Teachers taught the questions most missed the year before and those that refused to teach to the test were talked to by the growing administration.

Common Core was getting started when I graduated, it didn't really concern me until the day I was unable to help my kid brothers with their 2<sup>nd</sup> grade homework. Then I started to hear similar sentiments expressed by my neighbors, friends, and strangers. It seems that the same garbage that was peddled to my generation was renamed, given a fresh coat of paint, and pushed down the throats of taxpayers.

In the Marine Corps we have 11 Leadership principles, the actions of some of you have led me to believe a few of you are lacking in said principles. The three that stand out the most are:

1. Know Your Marines and Look out for their Welfare,
2. Ensure the Task is Understood, Supervised, and Accomplished,
3. Employ your unit in accordance with it's capabilities

You can argue that we're talking about students, not war fighters. You are correct, but that doesn't make what we're discussing any less serious nor relevant. And the people best suited to look out for our students and know what they're capable of are the parents and teachers throughout the state, not some special interest or egocentric billionaire trying to establish a legacy.

Common Core is a terrible attempt at band aiding a system that has been in need of improvement for a long time. It is the further centralization of education in an era of increasing decentralization. In an era of Amazon, Uber, AirBnB, when protestors can organize the blocking of a busy interstate in 15 minutes, when Harvard, MIT and many other universities have made many of their courses available free of charge, and anyone can create an account on Sal Kahn's Khan Academy, it makes no sense to subject our state's children to the monied interests of several individuals and large organizations. This one size fits all approach strips kids of their "energy and individual genius."

There are many ways we can improve our state's education system, Common Core is not one of them. A blanket approach developed by outsiders is a disservice to our children and will not prepare them adequately for the future, a future in which they will have to look after you. I'd like to end with a quote from President Reagan.

If we look to the answer as to why, for so many years, we achieved so much, prospered as no other people on Earth, it was because here, in this land, we unleashed the energy and individual genius of man to a greater extent than has ever been done before

Let's continue to prosper, let's pass HB 1432, listen to the people and say no to Common Core.

Thank you for giving me the time to speak today. I am here in support of house bill 1432 as I am a mother of 3 kids, one who is a 3rd grader in the Minot school system.

My son Westin was born with a congenital heart defect, has had 2 open heart surgeries and is on blood thinners for life. He is truly an exception to the rule. Westin is an exceptionally intelligent child. Reading Dr Seuss books at the age of 3, chapter books in kindergarten, and is reading adult books as a 3rd grader. Every conference I have attended for him since preschool he has received nothing less than above average grades, until recently.

Westin had scored 100 points above his class average and 90 points above the national average in math and reading comprehension, but... I was told he is still not "where he needed to be". I sat there dumbfounded, how on earth could this be a true statement? Not only thinking of my son, but now thinking about all of the other children in his class, or in the nation. How is my son who has always excelled in every aspect of school now not "where he's supposed to be", even though he's clearly above the average?

Then I started doing some research to understand this and make some sense of what I was being told. Enter Common Core. High-stakes tests don't help students learn or teachers teach. The results come too late for that. The tests are largely punitive: they punish teachers, students, and schools that don't perform. Low test scores can be used to hold good students back what would be the purpose of this? High-stakes testing encourages "teaching to the middle." Educators are pressured to focus on the "2" and "3" students, where the most progress can be made on scores, and ignore the 4s (where gains aren't measured) and 1s (whose needs are too great to raise scores easily). Incidentally, can anyone tell me what kind of career requires people to spit out the answers to 20 math problems in two minutes or less?

This type of system isn't generating kids who are independent thinkers and ready to contribute to the world. I think we have to ask ourselves whether we want to create a generation of test-takers and resume-builders, or do we want problem-solvers and life-long learners and healthy young adults? Now my daughter, I worry about her more than my oldest. She's what you would call a "free-spirit, a free thinker. She's very artistic, a very sight orientated learner. She cannot memorize a lot and being in kindergarten is having trouble with reading. How will she fair with the tests, if my son who is above average is still well below? Where will she fall at? If the Common Core state standards are designed for the common students, where does that leave the student who is uncommon? By uncommon, I mean the student who it may take a while to learn and grasp the concepts of what is being taught, like my daughter or the student who is well above average on every level except according to the tests like my son? We live in a society filled with uncommon people. What defines the common student? What traits does that common student hold? We live in a place where the common is not so common and teaching to standards that are geared toward the common student is setting our kids up for failure. This is why we need to put an end to common core as we know it. As a parent, I will continue to help my children learn in their own way and will always be proud of them no matter what. And I will continue to do so, as long as I am alive. Thank you for your time.

Attachment 7

HB 1432

1/30/17

**TESTIMONY ON HB 1432  
HOUSE EDUCATION COMMITTEE  
January 30, 2017  
By: Kirsten Baesler, State Superintendent  
701-328-4570  
Department of Public Instruction**

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Chairman Owens and Members of the Committee:

I am Kirsten Baesler, State Superintendent of the Department of Public Instruction. I am here today to offer information and to testify in opposition to House Bill 1432. As lawmakers you are tasked with making a decision to change the North Dakota process we use to establish learning standards and to change the process for measurement by which legislators assure accountability for the dollars you invest in education. Before you make that decision, I believe it is important that you have an understanding of the how the process has existed for decades and how we have even further improved the process before you determine if it should be changed.

The North Dakota Legislature through NDCC 15.1-02-04 requires “the superintendent of public instruction to set and supervise learning standards in schools.” Also, the Legislature through NDCC 15.1-21-08 and Congress through the 2015 reauthorization of the 1965 Elementary and Secondary Education Act - PL 107-110 requires that our students be tested each year in grades 3-8 and 11 on our state standards that include mathematics and reading.

North Dakota has required uniform content standards in our core subject areas for decades. Many sessions ago the legislature determined that it was necessary to have these standards in place to ensure all of our state's students received an equitable education of high expectations in every classroom in the state. The legislature felt in the absence of this uniform set of expectations at each grade level too many of our students were having their fate left to chance and their learning was dependent on what a particular teacher or a particular school wanted to teach in that particular year. Our legislators were aware of - or experiencing themselves with their own children - too many examples of students spending a great deal of time learning about dinosaurs, or insects and very little time learning math, science and writing; yet across the hallway with a different teacher or down the road in a different town students might be learning math, science, literature, social studies, arts, and foreign languages.

Since that time, at the direction of our legislature, our state's educators have been developing uniform content standards for each grade level or grade span in these subject areas:

1. The Arts – Dance, Drama, Music, and Visual Arts
2. Foreign Languages
3. Library & Technology

4. Mathematics
5. Physical Education
6. English Language Arts
7. Science
8. Social Studies– History, Economics, Government, Civics, Geography
9. and others such as English Language Learning

A process for regularly scheduled review and updating of each set of these content area standards was established which generally follows a five-to-seven year review cycle. This review cycle continues today.

The last review process for math and English language arts occurred in 2010 and resulted in the current standards. During the 2015 legislative session and following interim, North Dakota citizens made it clear that they wanted to ensure that North Dakota teachers are deciding what North Dakota students should be learning in math and English. It also became very clear to NDDPI that teachers and citizens wanted more control over the state assessment

Thus, in accordance with the scheduled 5-7 year review schedule, in May 2016 NDDPI began the process of accepting applications from all teachers, PreK through University level, who wanted to be part of the Writing Committee to write North Dakota's new math and English standards.

And in September 2016 I signed the letter withdrawing us from the Smarter Balance Consortium and removed North Dakota from all association with Smarter Balance effective June 30, 2017. (See Appendix 1)

I am proud to say that every teacher who applied and was willing to do the hard work of writing the new version of the standards is part of the writing team. There are 71 teachers on the North Dakota Standards Writing Team. The second appendix is a list of these teachers. As you can see there is broad representation from across the state of both large and small school districts. I would venture to bet many are names you recognize from schools in your district. I will reiterate – every teacher that applied and wanted to be part of this team to make changes and write new North Dakota Standards was selected to be part of the team.

We improved our process this time by forming an additional Review Committee comprised of parents, community leaders and business and industry representatives to review and provide comments and feedback to the teachers on the Writing Committee. This was the first time this additional layer of public review was done but it is an important part of the transparency of process NDDPI wanted to create. Again, I am happy to tell you that every person who applied and requested to be part of this public review committee was selected and appointed by me to serve. The third appendix is a list of these people.



I will share the timeline of events thus far as well as what will happen next within the next 5 months.

- The Writing Committee first met for three days on June 22, 23 and 24, 2016 to begin their work on the first draft of updating the North Dakota math and English standards.
- The math writing committee members determined they needed more time to work on the first draft so they met again on July 21-22, 2016.
- In September 2016, the North Dakota Standards Writing Committee released its first draft of the updated North Dakota math and English language arts standards for open public comment. We published the drafts and opportunity to comment on our website, and announced it on Facebook and Twitter. A news release was sent to all media outlets and I went on several radio shows and television shows asking for public comment.
- Public comment was collected September through October 2016.
- The Review Committee met for a full day in October 2016 to review the first draft of the math and English standards and generate feedback, comments and suggestions.
- The Writing Committee met again November 3-4, 2016 to incorporate the public comments and suggestions, and the Review Committee's comments and suggestions into the second draft of the North Dakota math and English

standards. A member of the Review Committee attended this meeting to share the Committee's feedback in person.

- Again, the math writing committee members determined they needed more time to make additional changes in the second draft so they met on December 2, 2016.
- In January 2017, the North Dakota Standards Writing Committee released the second draft of the state's updated standards in math and English language arts.
- The second draft of the standards and opportunity to comment are currently on our website. We also announced this on Facebook and Twitter, and released a notification to all media outlets.
- The Review Committee will be meeting in February to review the second draft of the math and English standards and generate feedback, comments and suggestions. A member of the Review Committee will again attend the March meeting of the Writing Committee to share their feedback.
- The North Dakota Standards Writing Committee will meet in March to incorporate the public comments and suggestions into the third draft of the updated North Dakota math and English standards.

- The North Dakota Standards Writing Committee will submit a final recommendation to the North Dakota State Superintendent in March 2017.
- NDDPI will announce release of final and official draft of North Dakota's new math and English language arts standards shortly after.

Then:

- NDDPI will begin the state procurement process for a new state assessment by issuing an RFP April 1<sup>st</sup>, 2017.
- RFP's will be due June 1<sup>st</sup> and selection and contracting for a new state test will be complete by June 30, 2017.
- Schools will begin implementing and teaching the new standards this Fall during the 2017-2018 school year.
- A new state test will be given in the Spring of 2018.

I cannot emphasize strongly enough that we heard loud and clear that North Dakotans wanted North Dakota *teachers* to be in charge of deciding what standards our students should be taught. We responded and put our teachers in **total** control of updating and writing the standards. The teachers on the Writing Committee were never told they HAD to change a certain amount nor were they told they COULDN'T change a certain amount. The teachers were asked to make **any and all** changes they wanted and felt were needed based on their six years of using the standards to make these standards the best for North Dakota students.

Again – it was very clear to leaders in education that the people of North Dakota did not want someone from out of state writing educational standards for our state – they trusted our teachers and they wanted our teachers in charge! This is what we did and that is why I find it very odd that this bill is asking us to whole-sale adopt standards from an east coast state when even that state has ceased using them because they were written in 2002-2004, nearly 15 years ago and obviously understood they were outdated and needed updating.

I have some very specific and serious concerns about the language in this bill. First Page 1 line 18 changes the word “supervise” to “participate” when outlining the duties of the Superintendent of Public Instruction. If the state superintendent is only to participate in the development of course content standards then I assume it will be the legislature that will determine the cycle and que of the course content development rotation schedule. Further, if they use the same process for development I assume the legislature will be responsible for securing the teachers and members of the public for all the future content standards writing committees and public review committees. Does the legislature have the staff or resources to supervise these activities and assume these responsibilities?

Page 2 lines 20 and 21 will also cost the state millions of dollars in special education, child nutrition and title funding as was testified to with evidence during the hearing for SB2180, which was killed this week in the Senate.

On page 4 line 18, the bill states that North Dakota must adopt a valid state assessment based on the assessment used in Massachusetts during the 2008-2009 school year. I have contacted the Massachusetts Department of Education about the availability of these test items. To the best of their knowledge, when Massachusetts gave up this test 10 years ago they most likely released the test items to the public. IF, by chance a private contractor purchased the test question items and kept them secure, there is no way to determine what item cost would be charged to North Dakota to buy them from that private contractor. The procurement process of the state of North Dakota could not occur because the private contractor who purchased the items would be the “sole source provider.”

The owner would know they are legislated to be used in North Dakota. That private contractor would have every right to charge North Dakota a premium price to use those items.

IF they were not purchased by a private contractor they would not have been kept secure and would be readily available from multiple sources and on the internet making them invalid and unable to be used in a valid or reliable standardized test.

Page 4 line 27 says “the new assessment must: be available on the department website for public record within thirty days after the assessment is administered;”

This language dictates a 100% item release after testing. This would mean that those test items are completely invalidated to be used again in a standardized test;

and after one year there would most likely not be enough MA items to build second year tests. Even if the MA item pool, theoretically owned by a private contractor, is extensive, it would likely be exhausted after a couple years – making the North Dakota assessment program unable to satisfy the legislation.

This 100% release rate would also mean the North Dakota tests would have to be post equated – meaning test standard setting for proficiency levels would need to be performed after every test administration. Test scores could never be delivered to students, teachers, administrators in a timely fashion.

My final specific concerns are on page 4, lines 18-20. I realize much of this bill language was simply copied and pasted from a similar bill in Michigan that failed, but because of our biennial legislative schedule in North Dakota, this directive is undoable. The language states the new test aligned to the Massachusetts test must be given the spring after the Massachusetts standards are adopted this fall, which is the Spring of 2018. But the bill language also goes on to say the assessment CANNOT be given until approved by the legislature. The North Dakota legislature does not meet again until 2019.

If North Dakota is looking for a customized assessment that is aligned to North Dakota standards this is not the solution.

Mr. Chairman, this bill is riddled with flaws, pitfalls, shortcomings and defects. I have just detailed a few specific examples.

I have been SO proud that North Dakota has always given the authority and responsibility of setting content standards to a committee comprised of educators and those directly involved in teaching and learning. When I tell others from outside our great state of this process, they are equally impressed by our wisdom and foresight. Yet now this bill threatens to undo the very process that other states envy and remove the authority from a majority of teachers and put it in the hands of those from Massachusetts and a future committee of legislators, non-educators, and those who may not even be residents of North Dakota. That does not make sense to me and it is not good leadership. To add further insult to our previous wisdom the authority of the state superintendent, - who is a statewide elected official of North Dakota by the residents of North Dakota - to “set and supervise the learning standards in North Dakota” - is stripped away.”

In closing, I want to underscore two important points. We have updated our standards process this cycle to make it even more transparent and inclusive by adding the Review Committee and our teachers’ commitment to this process is almost complete. Second, we have responded to our educators and public asking for more control over our state assessment by withdrawing from Smarter Balance and beginning the state procurement process April 1st for a new test.

Mr. Chairman, the people of North Dakota have historically expected two very basic things from their public education system: local control and leadership from

the state in setting expectations and providing support. HB 1432 strips away that leadership and leaves our school districts with standards that will be nearly 20 years old before the schools can even ask to update them. They are left unable to teach students to count to 100 because that is a standard “aligned to the former Common Core Standards.” Further they are left stripped of their local control in a way that is unprecedented in this state, unable to buy any resources or materials to help them teach their students to count to 100 because this bill prohibits a district from purchasing materials aligned to the former Common Core standards. You may say that is ridiculous, and I would say you are right!

Why do we need to use Massachusetts standards that are nearly 15 years old, when a highly qualified group of NORTH DAKOTA educators are just about done writing our own state’s standards?

You have in your hands names of educators and community members who have given deeply of their time and contributed to an exceptional educational process. I ask you, are you really going to tell them that their work is not worthwhile and that people from Massachusetts did a better job for our children than they can?!

I urge a do not pass recommendation on House Bill 1432.

Thank you and I stand for questions.



Kirsten Baesler  
State Superintendent



NORTH DAKOTA DEPARTMENT OF  
**PUBLIC INSTRUCTION**

600 E Boulevard Ave., Dept. 201  
Bismarck, ND 58505-0440  
Phone (701) 328-2260  
Fax (701) 328-2461  
[www.nd.gov/dpi](http://www.nd.gov/dpi)

September 12, 2016

Mr. Tony Alpert, Executive Director  
Smarter Balanced Assessment Consortium  
P. Ueberroth BLDG #1400  
10945 Le Conte Ave.  
Los Angeles, CA 90095-7150

Dear Mr. Alpert

Please accept this letter as our notification that the North Dakota Department of Public Instruction (NDDPI) withdraws from Smarter Balanced Assessment Consortium (SBAC) and removes North Dakota from all association with Smarter Balanced Assessment Consortium and The Regents of the University of California (UC)

The NDDPI provides this notification to the SBAC and UC in accordance with the "Memorandum of Understanding and Agreement" signed by Robert V. Marthaller, Assistant Superintendent, on behalf of NDDPI and by Steven A. Olsen, Vice Chancellor and CFO, UC, November, 2014, specifically Section 2, 2.2 (c) Termination for Convenience. The NDDPI understands that the effective date of termination is June 30, 2017.

Sincerely,

  
Kirsten Baesler, State Superintendent

ND School for the Deaf/RCDHH  
Devils Lake, ND  
(701) 665-4400

ND State Library  
Bismarck, ND  
(701) 328-2492

ND Vision Services/School for the Blind  
Grand Forks, ND  
(701)795-2700

# North Dakota Content Standards Development Committee

## English Language Arts (ELA)

### Kindergarten - Grade 2

<b>Committee Member</b>	<b>School</b>	<b>City/LEA</b>
Lisha Christopherson	Red Trail Elementary School	Mandan
Shari Gehrke	West Fargo Public School District	West Fargo
Tara Hofmann	Medina Public School	Medina
Diana Kuznia	Maple Valley Public School	Tower City
Chantel McKay	Beulah Elementary School	Beulah
Janet Nysetvold	McKinley Elementary School	Fargo
Debra Tschosik	Sunrise Elementary School	Bismarck

### Grades 3 - 5

<b>Committee Member</b>	<b>School</b>	<b>City/LEA</b>
Kathleen Boland	LE Berger Elementary School	West Fargo
Michelle Bullis	Fairmount Public School	Fairmount
Michelle Dehne	LE Berger Elementary School	West Fargo
Sarah Fox	Glen Ullin Public School	Glen Ullin
Carissa Monatukwa	Maple River Elementary School	Ellendale
Rebecca Pitkin	Jefferson Elementary School	Dickinson
Lisa Roeske	Fargo Public Schools	Fargo
Adria Smith	Sweetwater Elementary School	Devils Lake
Julianne Zahn	Beulah Elementary School	Beulah

### Grades 6 - 8

<b>Committee Member</b>	<b>School</b>	<b>City/LEA</b>
Pamela Aman	AL Hagen Junior High School	Dickinson
Jean Bartz	Drake High School	Drake
Ahna Fixen	Central Middle School	Devils Lake
Kristi Hallock	Discovery Middle School	Fargo
Leah Johnson	Rugby High School	Rugby
Diane Krueger	Valley Middle School	Grand Forks
Heidi Newgard	MLS-Mohall Public School	Mohall
Crystal Ridl	Discovery Middle School	Fargo
Kim Stockert	Trinity Elementary East School	Dickinson

# North Dakota Content Standards Development Committee

## Grades 9 - 12

<b>Committee Member</b>	<b>School</b>	<b>City/LEA</b>
Laura Bearce	Williston High School	Williston
Jessica Pulver Biesterfeld	Beulah High School	Beulah
Laura Bubel	Hazen High School	Hazen
Lana Feeley	Fargo Davies High School	Fargo
Joy Lewis	Fargo Davies High School	Fargo
Loren Nieuwsma	Devils Lake High School	Devils Lake

## Higher Education

<b>Committee Member</b>	<b>School</b>	<b>City/LEA</b>
Kevin Cartwright	Candeska Cikana Community College	Fort Totten
Kim Donehower-Weinstein	University of North Dakota	Grand Forks

# North Dakota Content Standards Development Committee

## Mathematics

### Kindergarten - Grade 2

<b>Committee Member</b>	<b>School</b>	<b>City/LEA</b>
Kimberly Bollinger	Bennett Elementary School	Fargo
Angela Hansen Cook	Kennedy Elementary School	Fargo
Sarah Kastner	Park River Area Public School	Park River
Kathryn Leal	Ray Public School	Ray
Chelsey Raymond	Rugby Ely Elementary School	Rugby
Beth Romfo	Will-Moore Elementary School	Bismarck
Karla Volrath	Washington Elementary School	Fargo

### Grades 3 - 5

<b>Committee Member</b>	<b>School</b>	<b>City/LEA</b>
Stephanie Drovdal	Burlington-Des Lacs Elementary School	Burlington
Linda Gabbert	Rickard Elementary School	Williston
Lisa Held	North Star Public School	Cando
Gary Jackson	North Border-Walhalla Public School	Walhalla
Jill Leier	West Fargo Public School District	West Fargo
Allison Levi	Mary Stark Elementary School	Mandan
Susan Mullin	Ed Clapp Elementary School	Fargo
Mona "Lee" Slichter	Eight Mile Public School	Trenton

### Grades 6 - 8

<b>Committee Member</b>	<b>School</b>	<b>City/LEA</b>
Brent Aasby	Discovery Middle School	Fargo
David Bartz	Roosevelt Elementary School	Mandan
Autumn Bennett	North Border-Walhalla Public School	Walhalla
Jessica Gregerson	Valley City Jr-Sr High School	Valley City
Stephanie Hochhalter	Hebron Public School	Hebron
Kimberly Johnson	South Middle School	Grand Forks
Annette Kaip	Mandan Middle School	Mandan
Lynn Mitzel	South East Educational Coop (SEEC)	Fargo
Nicole Seyfried	West Fargo Public School District	West Fargo
Jessica Skarperud	Fargo Public School District	Fargo
Karie Trupka	Circle of Nations School	Wahpeton
Vicki Wolf	Wachter Middle School	Bismarck

# North Dakota Content Standards Development Committee

## Grades 9 - 12

<b>Committee Member</b>	<b>School</b>	<b>City/LEA</b>
Michelle Bertsch	Fargo Davies High School	Fargo
Andy Braaten	Carrington High School	Carrington
Betty Delorme	Turtle Mountain Community High School	Belcourt
Cindy Keplin	Turtle Mountain Community High School	Belcourt
Sara Kincaid	Legacy High School	Bismarck
Kayla Lee	Langdon Area High School	Langdon
Lynelle Mann	Dickinson High School	Dickinson
Kristeen Monson	Grafton High School	Grafton
Patsy Schlosser	Edgeley Public School	Edgeley
Leanne Smutzler	Dickinson High School	Dickinson

## Higher Education

<b>Committee Member</b>	<b>School</b>	<b>City/LEA</b>
Reba Olsen	Dickinson State University	Dickinson

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**2016-17 North Dakota Academic Content Standards Review Committee Members**

**English Language Arts/Literacy and Mathematics Standards**

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Linda Thorson  
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Thorson Farms  
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Jennifer Wallender  
School Board Member  
401 3<sup>rd</sup> Avenue NW  
Hazen, ND 58545  
701.870.3004

Jacob Winkels  
(General Public)  
MB Schoen & Associates, Inc.  
2700 Brandt Dr S, Suite 200  
Fargo, ND 58104  
701.235.1183 ext 227



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*Great Public Schools**Great Public Service*

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**Testimony before the House Education Committee  
HB 1432  
Monday, January 30, 2017**

Good morning Chairman Owens and members of the Committee. For the record, my name is Nick Archuleta and I am the president of North Dakota United. On behalf of our 11,500 members, I urge you very strongly to return a DO NOT PASS recommendation for HB 1432.

Mr. Chairman, members of the Committee, HB 1432 is one of those truly vexing pieces of legislation that come down the pike from time to time. It represents a solution to a problem that does not exist and has never existed outside the minds of very few people still unsure about the Common Core State Standards and its relationship to the Every Student Succeeds Act. For the record, the former is rendered unworkable by the latter.

Chairman Owens, as you and everyone here knows, the Superintendent of Public Instruction is elected to a Constitutional office in a statewide election. Last November, the voters of North Dakota, knowing full well the positions of Kirsten Baesler and her competitor for the office, Joseph Chiang, voted to re-elect Superintendent Baesler with 70 some percent of the vote. HB 1432 is an attempt to usurp the authority of the Superintendent - and undermine the will of the people - for no other reason than to placate a few constituents upset that their point of view was rejected in the 64th legislative session. In the opinion of teachers across the state, HB 1432, if enacted into law, will be an unprecedented overreach by this legislature. It will also be terribly disruptive to the education process in North Dakota.

Throughout the debate last season, those in opposition to the direction taken by the Department of Public Instruction complained bitterly that the Common Core State Standards were not North Dakota standards. Over the course of the past year, some 70 ND teachers - experts in the teaching of English Language Arts and Mathematics - met at

the behest of Supt. Baesler for the sole purpose of revisiting the academic standards for those two disciplines, as has happened every 5-7 years.

HB 1432 abandons the practice of North Dakota teachers creating academic standards and mandates that North Dakota will adopt and use the 2008 Massachusetts standards, which were actually crafted in 2004. And that will be done beginning with the 2017-2018 school year. This mandate reveals just how out of touch this legislation is with the real world of teaching. It fails to recognize that teachers and administrators need time to examine and fully understand new standards and to make necessary adjustments to curriculum and lesson plans.

In addition, HB 1432 would completely cast aside the hard work done and long hours spent by teachers across the state as they reviewed, discussed, tweaked and rewrote the North Dakota standards for Mathematics and English Language Arts. These are very good standards and deserve considerably more than the shoddy treatment HB 1432 affords them in favor of years old standards crafted in Massachusetts.

In closing, Mr. Chairman and members of the Committee, I urge a resounding DO NOT PASS recommendation for HB 1432. This legislation disrespects the voters of North Dakota, the work of the dozens of teachers involved in writing the North Dakota Standards, and does exactly nothing to advance teaching and learning in North Dakota.

Thank you for the opportunity to comment on HB 1432. I will now stand for questions.





**SB1432 –State Supt Powers/ ND Standards  
Testimony in Opposition  
North Dakota Council of Educational Leaders – Dr. Aimee Copas  
1/30/2017**

I'd like to present to you an analogy. Let's pretend that I am an Engineer. To be specific, I'm an engineer who has recently been charged with building a new bridge. This bridge is to be wide and needs to be able to withstand a variety of natural challenges – rushing water, storms, heavy traffic, etc. My company is top of the line – we work with the newest standards and everything we do is approved by the head of our industry for our state. We have groups of engineers that regularly certify and update our standards based on the best information available around the nation and the globe.

Recently, there was a movement to have a group of individuals who are not in our industry determine the standards of engineering for building bridges. In this group, there are few if any who are certified engineers. Don't get me wrong, they have all driven over bridges during their life. Some have been on more bridges than others. Some have even stopped and spent a good deal of time admiring the bridge. Regardless, they haven't been trained to actually build the bridge. Much thought, labor, and adherence to standards are critical to have a good product.

As a citizen who drives across bridges, I would hope that with the very smart people that run our state, they would realize that the best and most wise decisions regarding who should determine the standards of building a bridge and who should take care of that for our state would be the experts in that profession – the engineering profession. If we make a mistake in this decision, we might find ourselves all under water.

This bill strips the very things from our state, that other states look at us with envy on. Our state's education is led by an elected state superintendent. This is an individual that a majority of our state's voters said was the best person for the job. They entrusted the vote of education into that person's hands. They did it with the understanding of the job duties that are entailed. They did not elect their local representatives and senators to run their education department. We are in a state where that is an executive branch role, not a legislative branch role.

This bill takes away from our teachers and our professionals in the education field from the decision making process regarding the standards to be taught. In a state where we continually hear of the importance of local control, this is the opposite of that. Our teachers just labored through a painstaking process of developing new English and Math standards for our state – ones that are fresh and adopted as ND state standards. Was that work by those individuals for nothing? Was the input of the teachers that our citizens trust not valuable? How does a body of individuals who are not trained in a profession hope to do justice in determining the myriad of standards that need to be taught within each field?

This bill then asks us to take a HUGE step back. It asks us to adopt the Massachusetts standards from 2007-2008. Those standards were originally adopted in 2004. They had been worked on since 2002. So, we are really saying that we are ready to go 15 years back in our standards? And then to be forced to use them for 5 years? 20 year old standards?? Really? 15 years ago I drove a Chevy Impala that by today's standards would be considered appalling. It didn't make great gas mileage, it had a lot of road noise, and the impact crash rating in comparison would make me not put my kids in that car today. How is that ok? Massachusetts, a state that is clearly being idolized has moved far beyond those standards today. I imagine the teachers and administrators there are laughing. At least they won't need to worry so much about ND kids competing for globally competitive jobs with kids from Massachusetts. They'd win. We would be setting our kids up to fail.

Being led by a governor who is encouraging innovation, thinking outside the box, moving forward and speeding the pace, this bill asks us to take 15, no wait...20 steps back. When you take that up against the sure exponential growth of our society and pace of information of today, it is frankly appalling.

Ladies and gentlemen, the people of our state trust our education system. We are #1 in the nation with 89% of our population saying the love and trust our system. We trust our state superintendent. She won her election.

We implore with you – allow us to do our job. Give us instead wiggle room to be innovative and do things inside and outside of our school buildings to truly prepare our kids for tomorrow's world. It is important that we teach history – and try not to relive it.

We encourage you to do what you know is right – send a DO NOT PASS to the floor and resoundingly kill HB 1432. Please let the chambers of the House know that education has moved on past the common core fight and we wish to move on to just educating our students. We hope our legislative leadership will join us.

It is an honor and a privilege to be writing to you today on behalf of the members of the North Dakota State Standards secondary mathematics writing team. My name is Michelle Bertsch, and I am a 24-year veteran teacher of mathematics at the secondary level, having spent the last 20 years with the Fargo Public School District. I have been an advocate for standards-based learning since the release of the National Council of Teachers of Mathematics (NCTM) *Principles and Standards for School Mathematics* in 2000, a document developed in an effort to improve students' mathematical experience from pre-kindergarten through grade 12. It was NCTM's document that inspired me to focus my master's thesis on standards-based activities for the secondary classroom.

I would like to take this opportunity to share with you the process that has transpired thus far in the revision/rewriting of the current North Dakota State Standards. The North Dakota Department of Public Instruction (DPI) provided an opportunity for teachers (to include Pre-K through Post-Secondary) to apply as writers of the future North Dakota Content Standards for Mathematics and ELA. After the application and selection process, all writers were brought together to begin the process of revising/rewriting the mathematics and ELA content standards for the state of North Dakota. On the opening day of our first writing session, Superintendent Baesler spoke passionately to the writing teams, challenging us with the task of revising and rewriting a standards document that would encompass the expectations of college and career readiness for all students. Furthermore, Superintendent Baesler clearly stated that as experts in our field, she had no reservations in giving us complete control in determining the content and makeup of the new document. In essence, we were freely given the task of determining every facet of the new standards document- to include not only the standards themselves, but any ancillary materials and resources we felt beneficial for North Dakota teachers who will be implementing the standards. As the writing process has continued, Superintendent Baesler, as well as other members of DPI who have been overseeing the meetings, have continually reiterated that the new standards document will be written by North Dakota teachers for North Dakota teachers. We have been, and continue to be treated with the utmost respect and professionalism by DPI, and the level of accountability in the drafting of the new standards document has been 100% on the writing teams. There has been absolutely no influence on the part of DPI regarding the content of the current standards draft, and we as writers have felt completely empowered to take ownership in creating what we believe will be an effective standards document written by North Dakota teachers for North Dakota teachers.

With this empowerment has come great responsibility. We as writers have taken that responsibility very seriously. Providing a document that will serve as a resource for teachers, educational leaders, and policymakers to examine, guide, and improve their own curriculum frameworks and instructional programs and practices has been and continues to be the focal point of our writing.

The time allowed us by DPI thus far has stimulated ideas and ongoing conversations not only between writing team members, but also within the educational community about how best to help students gain a deep understanding of important mathematics. As a result of the writing team efforts and comments from the public after the release of draft one, a coherent and comprehensive set of learning goals has been established, to include the need for a strong conceptual understanding of the content required for students to be proficient.

The second draft of the North Dakota State Standards for Mathematics document supports teachers in interpreting and understanding each standard, provides an overview of each conceptual category, the course in which each standard may be addressed, the standard along with annotations, "students can" statements, key vocabulary, and resources that provide opportunities for students to develop a deeper understanding of the concepts they are learning. The document stresses the importance of the mathematical practices as fundamental to students' conceptual understanding and articulates the importance of a rigorous and challenging mathematics curriculum for student success.

It has been an honor to work alongside excellent and passionate teachers from across the state, all of whom have a vested interest in helping students to become successful mathematically. I was surprised and discouraged to read HB 1432 and fail to understand its necessity. At no time during our writing of the new standards document have we as writers been approached or questioned, even though all meetings have been completely transparent. HB 1432 gives the impression that we as professional educators are not capable to write a standards document that will address the mathematical needs and expectations of our students. To me this is sad, unfortunate, and unfair.

In closing, I would like to take this opportunity to thank Superintendent Baesler and the Department of Public Instruction for placing their complete faith in the teachers of North Dakota as professionals to create a standards document that will have a positive impact on the mathematical success of all students in the state of North Dakota. It has been an honor to be a part of the writing process, and I am thankful for the opportunities the state has provided in assisting me in creating positive, effective, and long-lasting learning experiences for my students.

Thank you.

Michelle Bertsch  
Mathematics Teacher  
Fargo Davies High School

01/30/2017

Tamara Uselman, Superintendent, Bismarck Public Schools

HB 1432

I speak in opposition to HB 1432.

My concerns are as follows:

Section 1

- ND's Superintendent of Public Instruction is elected by the people. If the position's role is reduced to participating only in the adoption of standards, who with education expertise is supervising and overseeing the adoption process?

Section 2

- Education is a professional field, and as such, the field has knowledge, skills, abilities, and processes. Which other professional field such as law or medicine is not allowed to adopt, modify, or align standards within the profession without legislative approval?

Section 4

- The state of North Dakota would incur significant cost in replacing lost Federal dollars. Not counting the federal lunch program, I suspect the figure to be north of \$182,000,000.
- Many BPS teachers participated (and continue to participate) in standards adoption. Their expertise should not be dismissed.
- ND may revise our standards whenever prudent; however, this bill would not allow ND to make changes as needed.

Section 5

- The standards Massachusetts used in 2008 were written in 2001 with a supplement in 2004. If ND were to blindly adopt (that is to not include teachers or public commentary) these standards and leave them in place until at least 2022, ND students would be subject to standards that are 21 years old. That causes concerns on many levels:
  - 21 years of educational research would be absent.
  - I cannot think of another profession that would take a step backwards by 15 years, lock themselves in for another five years, and do so on standards educators have not even had an opportunity to review.
    - I see that Massachusetts is looking to, "...identify possible improvements to the Massachusetts ELA / literacy and mathematics standards based on lessons learned during implementation since 2011" and has a committee

who has recommended changes. Why would ND adopt something the Bay Staters see as needing to be changed?

- This bill contains confusing irony: it makes it illegal to use standards that are written by groups of other states but also it requires ND to standards written over a decade and a half ago in another state.
- Section 5 includes this, "Any state history or government course content standards must be changed to reflect the history and government of this state". Remember, ND students are subject to passing a Civics exam which is not a North Dakota based test.
- This section says standards will be distributed by posting then on a website. Posting on a website differs from true distribution. If my teachers were allowed five days to adjust their teaching practices and curriculum materials to standards they did not participate in reviewing and adopting, the cost would be 1.5 million. BPS cannot afford an unfunded mandate. Is the expectation the state would fund this "distribution"?
  - BPS has always approached working with ND standards with fidelity. Our teachers have aligned the standards, written their own assessments, developed proficiency scales and worked in professional learning communities to study student achievement. The BPS system, collectively, has tens of thousands of hours of intellectual labor invested in current ND standards. I can't fathom a process of aligning to different standards while closing one's mind to all that is common core and considering only mirroring Massachusetts standards never vetted by ND educators. How will this make sense to teachers? What process will be developed to allow for sense-making and who will fund that time?
- I am curious regarding information on line 27 of page 4, stating assessment results will be posted on the department website for public record within 30 days. Line 26 indicates that computerized assessments may be used but not required. How will thousands of student assessments be evaluated and posted within 30 days? What cadre of reviewers can do that work well in such a tight timeframe?
- Page 5 line three to seven provides one of many truly ethical clashpoints. This section demands that the school district's fundamental academic curriculum be based on the school's educational mission, long-term student educational goals, and student performance objectives. I struggle to see how or why BPS must blindly craft mission, goals, and performance objectives so we can be Massachusettsans rather than North Dakotans.

## Section 6

- I cannot find a single standard so inappropriate that current curriculum materials tied to them should not become illegal but wish to know specifics on any such standard.

- I trust in the ND teachers who reviewed and approved current standards. It is a participatory, collaborative, argumentative, transparent process.
- BPS has a thousand teachers who are way too smart to have been duped into teaching professionally inappropriate standards.
- These are examples of current standards that become illegal under HB 1432 to fund with state dollars.
  - ELA
    - With prompting and support, describe the relationship between illustrations and the text in which they appear (e.g., what person, place, thing, or idea in the text an illustration depicts). BPS would not be allowed to use or purchase curriculum materials nor would teachers be allowed to teach why pictures in a book are related to text.
    - By the end of the year, read and comprehend literature, including stories, dramas, and poems, in the grades 6–8 text complexity band\* proficiently, with scaffolding as needed at the high end of the range. BPS would not be allowed to use or purchase curriculum materials nor would teachers be allowed to teach literature.
  - MATH
    - Count to 100 by ones and by tens. BPS would not be allowed to use or purchase curriculum materials nor would teachers be allowed to teach kindergarten students to count using number names or compare numbers with terms indicating greater than, less than, equal to.
    - Understand a fraction  $1/b$  as the quantity formed by 1 part when a whole is partitioned into  $b$  equal parts; understand a fraction  $a/b$  as the quantity formed by  $a$  parts of size  $1/b$ . BPS would not be allowed to use or purchase curriculum materials nor would teachers be allowed to teach fractions.
    - Convert among different-sized standard measurement units within a given measurement system (e.g., convert 5 cm to 0.05 m), and use these conversions in solving multi-step, real world problems. BPS would not be allowed to use or purchase curriculum materials nor would teachers be allowed to teach using real world problems.
    - One of my principals explained that in 1989, the National Council of Teachers of Mathematics became concerned that math of the 60s and 70s was focused solely on computation and rote memorization, skills too limited and too low for preparing students for the modern world. Thus the NCTM pushed for standards in content, including numbers and operation, algebra, geometry, measurement, and data analysis as well as for process standards which included problem solving, reasoning and proof, communication, connections, and representation. In short, my principal felt this: "If the ND legislature tells math teachers they cannot



teach anything related to the Common Core standards, the legislature is asking them to ignore any mathematical innovation which has happened in this country and this state since the Space Shuttle Challenger catastrophe.”

- I caution adopting yet another new state assessment, our second since 2012.
  - Schools need consistent assessment data if it is to be used for long term continuous improvement goals

Thank you for your time and attention today.

1/30/17

**HB 1432 – Relating to the authority of superintendent of public instruction in regard to standards and other state officials and agencies, and to standards and assessments.**

**Testimony in Opposition**

**Rugby Public School District – Dr. Michael McNeff**

Chairman Owens, and members of the House Education Committee. I am Michael McNeff and I serve as Superintendent of Schools in Rugby, ND. I am testifying in opposition to HB 1432. I have broken up my testimony by sections and I hope that you are able to follow along.

Section 2.1 greatly limits the authority of the state superintendent. I believe it is very beneficial for a central figure to oversee the standards review/writing process. It is important to have someone that brings all the educational experts together across our state to develop content standards for North Dakota. Under the current bill language, the legislature would approve the standards. I would assume that legislators would not be comfortable with this task since most are not educational experts, nor should they be. Our educational experts within our state should be trusted with reviewing standards and adopting standards.

Section 4 refers to the withdrawal from all assessment consortiums and termination of all work associated with Common Core implementation. Please keep in mind Superintendent Baesler has assembled teachers to rewrite our standards over the past year. My own school district has two teachers that are on the standards rewrite committee. I can assure you it has been an extensive process over the past year based my conversations with these two individuals. This is a good process and terminating all that has been done would be detrimental.

Section 4 also terminates areas of federal control over North Dakota schools. Please keep in mind if you terminate areas of federal control you will need to include a fiscal note. In our school district alone we received approximately \$400,000 in federal funding this school year.

Section 5.1 will be difficult to implement if a parent can opt of any activity, practice, or testing. Does that mean if they don't like the end of the unit assessment they can pull them out of it? This will be very difficult to monitor for teachers and frankly this can and should be dealt with at the local level. I can only speak for my own school district, but we would certainly listen to, respect, and address morale and philosophical differences in regards to this area.

Section 5.1b adopts the state of Massachusetts Content Standards from 2008-2009. It is interesting that the some don't want another entity to create or provide standards for us, but recommend another state's outdated content standards. Keep in mind our previous set of standards and the rewrite of those standards have been reviewed extensively by our own educators throughout North Dakota. Are we at all concerned about the cultural differences that

may exist within the 2008-2009 Massachusetts Content Standards? I have never been to Massachusetts, but I am guessing that we may differ culturally. And not to mention these standards are approaching ten years old.

Another important issue to consider is that many would need to purchase new curriculum that matches the new standards. Many school districts have previously purchased curriculum that matches the previous standards. According to the bill we would need to be prepared to teach the content with the Massachusetts set of standards by the end of this summer. This timeline alone is of concern. Please know that when a school district purchases curriculum it is a long drawn out process, largely due to the cost. We have been reviewing ELA curriculum for over a year. In my district, the cost for just K-6 ELA curriculum is approximately \$75,000. The time to select quality curriculum is one part of curriculum implementation. The other part is getting the material, reviewing it, and then planning quality lessons around it. There are many hours associated with the implementation of a new curriculum. If the bill becomes law we would have approximately four months to select, review, and then prepare our lessons for the upcoming year to match the new standards. Keep in mind that most of those four months our teachers will be off contract. The timeline associated with this bill is unrealistic.

Thank you for the opportunity to present you with this information. If you have questions I would be happy to answer them.

Sincerely,

Dr. Michael McNeff

Superintendent of Schools

Rugby, ND



Attachment B

1/30/17

HB 1432

**Testimony in opposition of HB1432**

**Lyle Krueger on behalf of North Dakota Regional Education Associations**

**January 30, 2017**

Hello members of the ND House Education Committee:

For the record, my name is Lyle Krueger, the executive director of the Missouri River Educational Cooperative (MREC), testifying on behalf of North Dakota Regional Education Associations in opposition of HB1432.

The process to develop and implement the current North Dakota State Standards, and accompanying assessments, was and continues to be tasks that were not taken lightly or completed independently by our Department of Public Instruction. The process is one of protocol, collaboration, deliberation, and feedback. School district personnel including administrators, teachers, higher education partners, and other educational experts within all grade levels and content areas from throughout North Dakota held numerous meetings to develop, review, and adopt our academic standards. The Department of Public Instruction went through the procurement process to receive public input, receiving praise from such organizations as the ND Chamber. Additionally, the implementation procedures and practices to help incorporate the standards into daily classroom practice were completed by individual districts, REAs, ND United, and other educational entities using various funding sources including state allocations, federal allocations, and private funders like Succeed 2020, in order to best prepare the students of North Dakota for their future, not ours. We would be remiss not to mention that the Succeed 2020 funds were a major contributor in helping to implement the current state standards into school districts, especially in our rural areas. Again, speaking on behalf of ND REAs, most school districts in which we worked with followed a standards-based implementation processes including:

**Phase I:** Building Awareness & Communication Strategies

**Phase II:** Curriculum Alignment/Development and an intro to Assessments

**Phase III:** Evidence-Based Instructional Strategy Development and a deeper look into Assessments with data utilization for adjustment and enhancement of instruction



North Dakota  
Regional Education Association

This Standards-Based Instruction process assisted in the implementation of a rigorous curriculum, implementation of effective instructional and assessment practices and fostered professional growth through learning communities and data teams.

Beginning with clear, focused, rigorous expectations, teachers employ instructional strategies that engage students, provide choice, and elicit evidence of student learning. Using a variety of assessment methods, teachers and students use this evidence to make instructional decisions about how to move learning forward until mastery is attained. This was and continues to be the work of North Dakota educators.

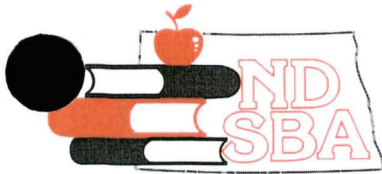
On behalf of the ND Regional Education Associations, we stand united with DPI, NDCEL, ND United, and all those who have worked so diligently to do what we can to best prepare our children, and ask that you consider our student's futures first.

Chairman Owens and members of the committee, I am available for any questions.

1/30/17

HB 1432

Attachment 14



**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 1432 – TESTIMONY**

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

**General Counsel**

**North Dakota School Boards Association**

**January 30, 2017**

To use cinematic terminology, HB 1432 is not a sequel. It's a rerun. It is the 2017 version of 2015 HB 1461, a bill that received a Do Not Pass out of the House Education Committee and eventually lost on the floor.

Others have spoken about standards and assessments and the DPI role in crafting each. What I'd like to do is focus on the bill because regardless of where you are or might be on the philosophical continuum, the words in the bill are what could potentially guide and govern the education of North Dakota's children at least in the coming two years.

Section 1. (P1 L18) Whereas current law allows the duly elected Superintendent of Public Instruction to supervise the development of course content standards, this bill would relegate her to "participating" in the development. We have yet to determine with whom she will "participate."

Section 2. (P2 L8) Unless there is a bill passed by the Legislative Assembly, the Superintendent of Public Instruction may not . . . . Do what?

This subsection consists of 111 words that would need to be understood by the Superintendent and the field.

Lines 8 – 10 state that the Superintendent . . . may not adopt . . . any document that adopts . . . . What?

She may not align to any document that adopts . . . . What?

She may not implement any document that adopts . . . . What?

She may not commit this state or any school district to participate, at any level, in any national or multistate consortium course content standards from any source . . . .

How does one "participate" in a standard?

Then beginning on page 2, line 12, the next part of that sentence states that the Superintendent may not require "the use of any assessments aligned with any national or multistate consortium course content standards from any source that cedes to the national or multistate consortium control of North Dakota educational course content standards in any manner . . . ."

Apparently this string of words applies to course content standards in mathematics, English language arts, science, history, social studies, or not “and” health and sex education.

Beginning on page 2, line 17, it states that without statutory authority by the “Legislative Assembly, the Superintendent of Public Instruction may not “implement” new statewide course content standards. That’s clear.

It then goes on to say that if the Superintendent of Public Instruction “adopts or revises” course content standards under this section, those standards must be developed independent[sic] of any national or multistate consortium. This section does not give the Superintendent the authority to adopt or revise statutes. It appears to tell her what she may not do.

Section 4. (P3 L15) The state shall terminate all plans, programs, activities, efforts, and expenditures relating to the “implementation” of the educational initiative commonly referred to as the common core course content standards, or any derivative or permutation of that educational initiative including, any assessments, data collection, or instructions based on or involving that educational initiative.

It is not clear whether the reference to “instructions” is directed at something that the DPI is not supposed to do or whether the bill is referencing classroom instructions. If it does reference classroom instruction, what is intended in the event that the same standard appears in the common core and in a state standard?

The next sentence is equally baffling. Beginning on line 18, it states that “[a]s part of the process of conversion from the common core course content standards, the superintendent of public instruction and any other state agency or employee shall takes[sic] steps necessary to terminate areas of federal control over the North Dakota educational process.”

How does a state employee take steps to “terminate” areas of federal control? It is a “shall.” It is an obligation. What does this mean?

Section 5. (P3 L25) The Superintendent of Public Instruction shall “[r]espect and support the right of a parent to opt a child . . . out of public school . . . with no interference from the state . . .” There is a little conflict here with the compulsory attendance law, which requires that any “person having responsibility for a child between the ages of seven and sixteen years ensure that the child is in attendance at a public school for the duration of each school year.”

This section also permits the parent to opt a child out of “any activity, practice, or testing, with no interference from the state, which the parent finds unacceptable or to which the parent has a philosophical, moral, or religious objection.” That raises several questions.

- Where is the child supposed to go during this period of time?
- Who is supposed to watch him or her?
- Are schools expected to provide alternate activities?
- Is the school to consult with the child’s parent to determine how he or she feels about alternate activities?

If the child is not going to engage in required activities, or testing, how should a grade be determined? More importantly, how would one determine a grade that is fair in relation to the other students who actually participated in the activity or took the test?

North Dakota offers state scholarships. Do we just waive grade requirements for certain students whose parents would prefer that their children not be asked to demonstrate that which they have learned by means of a semester final?

The state is operating a public school system. The standards and expectations need to be equitably applied. Alternatives exist for those parents who wish to have much more pronounced control over their children's educational day.

Beginning at the top of page 4, the Superintendent of Public Instruction is directed to implement ten year old Massachusetts standards for use during the 2017-18 school year. On line 12, it states that within 10 days after the state course content standards are adopted, the department shall distribute the standards to schools . . . . I believe that is referring to the adoption of new standards, and not the old Massachusetts standards. That's not clear.

It must be noted, however, if there is an expectation that school district personnel will teach to the old Massachusetts standards beginning this coming August, the Legislative Assembly will need to be supportive of providing extra time within the school calendar so that the staff can familiarize themselves with the Massachusetts standards, make the curricular changes that would be necessitated, probably review and acquire new text books and curricular materials, etc.

Teachers won't do this on their own time. There will be associated staff and professional development costs. I don't believe that was addressed in the fiscal note.

Page 5, line 3 begins with "[a] school district meeting the requirements of this section shall . . ." There are no requirements that segregate the school districts under the section. Again, the phraseology is incorrect or nonsensical.

Beginning on line 4, the bill provides that a school district is to establish a "fundamental academic curriculum." The school district is then to determine the aligned instructional program and identify the courses and program in which the fundamental academic curriculum will be taught, after consulting with teachers and school district administrators.

Who is the ethereal "school district?" It is the teachers and administrators and this section just directed them to consult with themselves.

Then, beginning on line 13, the school district is to provide for "public" review and comment by all interested members of the "community." Public review is open to anybody. Who is the "community" in a rural district?

SECTION 7. (P6 L3) The repealers eliminate the section of the NDCC that requires a state assessment in reading and mathematics. Current law provides that the test must be administered in grades 3-8 and at least once in grades 9-11. HB 1432 makes no reference to the grade levels at which assessments will be administered.

The bill also repeals the section of the NDCC that requires the Superintendent of Public Instruction to compile test scores in a manner that indicates achievement and allows a comparison of individual students, classrooms within a given school and school district, schools within the state, and school districts within the state. The current law also calls for test score comparisons based on students' gender, ethnicity, economic status, service status, and assessment status, unless doing so enables the



identification of any student. That compilation would be gone, as would the reporting of test scores to the Legislative Management.

I began with a cinematic reference and I must conclude with a theatrical reference. This bill is not ready for prime time. It is a highly flawed piece of legislation that fails to provide clear direction to the Superintendent of Public Instruction, the DPI staff, school boards, school district personnel, school district patrons, parents, and students. Laws have to be clearly written so that those who must administer them and those who are subject to them have due notice of their rights and obligations.

Beyond that, when it comes to standards, the NDSBA believes that the focus needs to be not on the source of the standards but on the quality of the standards. As an association, we want to ensure that the standards which guide the delivery of K-12 education in this state are:

- Internationally benchmarked;
- Based on the best research available;
- Clear;
- Understandable;
- Consistent;
- Aligned with college and career expectations; and
- Crafted so as to require rigorous academic content and higher-order thinking skills.

We want to ensure that the assessments are valid, reliable, aligned to the standards, and capable of providing the detailed data necessary for our school boards and school district personnel to continually evaluate and improve teaching and learning.

We need to rely upon the professionals in our education sector to provide those assurances and to engage in ongoing efforts to review, revise, and elevate our system of standards and our methods of assessment.

The NDSBA respectfully requests a **DO NOT PASS** on HB 1432.

Chairman Owens & Members of the House Education Committee,

For the record I am Kristeen Monson, a high school math teacher in Grafton, ND. I am also a member of the ND Mathematics Academic Content Standards Development Committee that has been meeting this past summer and fall. I am here on my own behalf to testify against House Bill No. 1432.

Last May, an email went out to North Dakota English and Mathematics teachers inviting them to apply to be on the committees reviewing the current ND English Language Arts and Mathematics content standards. I applied because I had an opinion on some things that I did want changed in the standards. When I received my acceptance letter, I noticed that everyone who applied was placed on the committees, which means no one was included or not included because of his/her agreement or disagreement with the current ND content standards.

When the committees first met the end of June 2016, we were informed that we had the freedom to change the standards as we saw fit. We were not required to keep anything of the current standards and could have recommended something completely new. REL Central, a consultation group, and DPI staff were available to answer any questions we had. There were questions on formatting and overviews of how grade levels would be put together, but the teachers controlled what was dropped, added, and amended. North Dakota teachers collaborated and decided if a standard was appropriate. The standards may not look drastically different. We choose to try to maintain some of the numbering that was used before. This was because we believe there is power in North Dakota teachers being able to search that number and find possible relevant good teaching materials that can be tweaked to what is needed for the North Dakota standard. I feel the changes were in the details of the standards.

Speaking specifically to the work of the high school math committee, there are some standards that we did not change. A couple we completely deleted, because we felt they were not appropriate standards or not needed for college readiness. This was supported by Reba Olson, a committee member from Dickinson State University. There are many that we carefully revised, changing the verbs and language. When it comes to standards the verb used is very powerful. For some things, we raised the rigor. Other things we determined were not appropriate for all students, making it a (+) standard for enrichment of advanced students or advanced math courses. We tried to clarify standards so that new teachers would clearly understand what was expected in the standard. We were very aware that these are standards, and we tried to eliminate language that described how the standards are taught. We also had discussions about the use of technology. Two of our committee members were from Turtle Mountain Community Schools. With their insight, we only included using technology when we felt it would be an appropriate expectation for all North Dakota schools.

In total, ND teachers on these committees spent 5 days of summer break in detailed discussions about standards. My high school math committee even came back for an extra day and half to finish the first draft revision because we had had such lengthy discussions. By no means did we just accept the standards as they had been. This past fall, those standards were posted for public comment from teachers, administrators, college students in education majors, parents, students, and any interested North Dakota community members. There was also a separate committee that I believe was comprised of interested parents & community members that offered comments on the first draft. Our committees came together for another 2 days in November to review comments from the public review. I don't remember seeing any comments stating we should look at the Massachusetts's 2007-2008 standards, because someone felt they were superior. If that had been stated, as a committee we probably would

have tried to get a copy of those standards for review. Comments were considered and resulted in revisions for a 2<sup>nd</sup> draft. I believe this 2<sup>nd</sup> draft has been put out for public comment this past month or so. At the conclusion of our November meeting, it was tentatively planned that committees would meet again for two days the end of February, to hopefully make a final draft to be submitted for approval.

If you want standards that are appropriate for North Dakota students, don't you think that should be determined by North Dakota teachers, administrators, parents, and community members. I am not familiar with Massachusetts 2007-2008 standards. I was not able to find them posted online anywhere, so I do not know if they are well written standards or not. However, I would not want to accept them without North Dakota reviewing, updating, and changing them as necessary. This bill forces the Massachusetts standards on teachers for the 2017-18 school year. Furthermore, I do not think it is a simple process for teachers to just take and implement completely the Massachusetts standards. Changing standards often means teachers have to search for lesson materials that they feel are appropriate to teach added standards, because current curriculum probably does not support these standards. This is a process I have worked through, with the current standards. Just the search can take hours, and then planning the new lesson is even more time. For many ND teachers who teach a different class every period of the day, that is a large undertaking. One that takes multiple years to implement. To change standards next year, and then possibly change them again to newly written North Dakota Standards the following year seems very like a very daunting task for any teacher to face.

I am not in administration so I have very limited experience in school finances. However, I have been actively involved in my school's contract negotiations. The financial climate in North Dakota has changed. As teachers going into negotiations this spring, we know there is little chance getting raises this year. I can accept that. However, I am afraid that the costs of this bill could cause decreases in the paraprofessional and support staff that schools have. For some schools, it could even cause decreases in teaching staff. If that happens, I think that will have a much greater impact on many students in North Dakota than what a prescribed set of standards will ever have. For that reason, please vote no on House Bill No. 1432.

Thank you for your time. I am open to any questions you may have for me.

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# LOREN NIEUWSMA

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Attachment #16

HB 1432

1/30/17

January 28, 2017

RE: House Bill 1432

To the education committee of the ND 65<sup>th</sup> Legislature:

I am writing in opposition of House Bill 1432. I do not feel that it is best benefits the state of North Dakota and its education system.

First, I want to address a major fundamental flaw with this bill: the idea that after this academic year, the so-called "Common Core Standards" will still be in implemented within the state. I want to clarify that this is not true. For the past year, I have been a committee member responsible for creating new North Dakota state standards. These new standards should effectively help North Dakota teachers better educate North Dakota students. This committee has already made the change away from the Common Core standards, which seems to be an underlying concern with this bill.

Also, the lack of clarity in the language leaves the bill the open to interpretation. Who would create these new standards? To have a bill that would completely disregard the current process creates the chance of not having North Dakota teachers create North Dakota standards. The teachers in this state know what is best for students in the state. The change to the current law seems repetitious of what has already been done, and if anything, seems to replace it with a process that would not be as quick and efficient as the old one.

On that note, reverting back to the 2008 Massachusetts standards seems like a step backwards. I started teaching in 2008, and from 2008 to now, the world has changed drastically. The 2008 Massachusetts standards will have to be updated to accommodate these changes. My question: when will these changes be made? How many years out will teachers have to wait until they see the new standards? I don't foresee these changes being able to made by the next academic school year. To revert back to these standards would mean the state education system would be taking a step backward and would not be providing our students the education necessary to be successful outside of academia until such changes could be made. Teachers could wait years until the legislature is able to commission a committee to create the new standards, which, in turn, would hurt the education of our students.

This bill is also a financial concern. A good amount of money has been spent to develop the 2017 ND Standards. To have a law pass that would require the development of yet another set of standards—one that has no ties to prior standards—would provide a financial hardship on the state and ND schools. First, in a year where the legislature is trying to fix a budget crisis, creating a system as mentioned in the bill would take a sizable amount of money to complete. This seems as if it would be an extra burden on the current budget problem. Also, local districts would suffer financially. To revert to 2008 Massachusetts standards would require North Dakota schools to spend millions of dollars to buy new supplies, including textbooks. I ask a simple

question: where is that money supposed to come from especially if, again, the North Dakota Legislature is trying to find any way possible to balance the budget?

Finally, I want to make one last comment. This seems to be an effort to move away from the Common Core standards. The standards committee has already done this work. They have created standards that would allow North Dakota to have its own individual standards, but still be able to have access to educational materials. That is a concept that is far too often forgotten. North Dakota is a small state. It does not have a large enough population for education companies to create and distribute materials cost effectively to our students. It seems like an odd idea to consider, but it is true. Making such a large change in such a short amount of time would limit the resources North Dakota teachers would be able to use. It is easy to make vast sweeping changes in education, especially when the distaste for the Common Core creates many misconceptions; however, as a teacher in the current education system, I can attest that change takes time. Please consider all aspects and levels of this bill before you make such broad reform to a process that, I feel, isn't broken.

I hope you consider not passing this bill. Please think of the ramifications it has, not only on our education system, but also on our students. If you wish for me to expand on my argument against this bill, please feel free to contact me. Thank you for your time.

Sincerely,

Loren Nieuwsma, M.A.

Attachment #17

HB1432

1/30/17

Testimony for Public Hearing  
Education Committee  
January 30, 2017

Ruth Zacher  
4011 73rd Ave. NW  
Parshall, ND 58770



Greetings Education Committee Members. My name is Ruth Zacher. I am a graduate of NDSU, and high school teacher. My husband and I farm and we have three grown children. I also work in emergency medical services, but few things are as tragic as a failing school. Some of you already know who I am because I have contacted you many times along with employees of the DPI. I'm sure you would agree, ignoring the truth will NOT make problems go away.

Every child has the right to a quality education, but few adults have been held accountable to ensure this. Look at the bill at hand; it has not been adhered to in the past, so we need to look at ways to insure it's being followed. Several state and school employees don't follow century code and they are not held accountable. This is not a subjective opinion. It is a fact. A fact proven by empirical data and statistics, data that has been minimized, hidden, and deleted. Even when assessment results are available, it doesn't matter because if a school is failing it is rewarded. This is proven by the document our state superintendent of schools handed me personally on July 17, 2016. Did you know that North Dakota has only ONE intervention for a failing school? Money. I fail to understand why we reward a school for failing. Instead, those running these institutions should be held liable. If money can fix a problem, it's not really a problem.

Under the Bill at hand, our state superintendent has the duties of supervision, direction, reorganization, and dissolution of schools. Is this happening and is she being held accountable? No. Rewriting a Bill won't change anything when Ms. Baesler praises a school for failure, as she did in Parshall on Sept. 16, 2016.

I know what it is like to try and educate students in a substandard system. Not a day goes by that I don't regret children are subjected to an environment non-conducive to learning. Taxpayers are forced to financially support a system that is consistently lacking equal opportunity for students and is underperforming. This will happen in your school too, if someone isn't held accountable.

I would appreciate your careful consideration of this resolution. Pass it as is, or even better amend it, by adding provisions for accountability and transparency of testing procedures, scores, and ramifications. Even without this Bill we must resolve the issues. What good is a state law if no one follows it? It's vital that we pass this Bill, but it is **emergent** that three things happen, accountability, accountability, accountability for the sake of all kids.

We've spent over \$5 million in 3 years on state assessments and what do we have to show for it? Nothing. Just numbers (if you can find them). According to Ms. Baesler, there is too much emphasis on test results. Well, Ms. Baesler and the State of North Dakota, if test scores don't matter, then quit testing our kids. It's a waste of precious time and money.

In summary, pass this bill, hold the DPI and school administrators accountable, and remember every student counts.

# NORTH DAKOTA STATE ASSESSMENT

## State of North Dakota

<u>YEAR</u>	<u>Reading</u>	<u>Math</u>
2015	46.30	40.00

*"Actually, these scores are higher than I thought we would do on this test. I'm pleased," she said.*

*But while the scores are "a good start" for a baseline score, Baesler said much work remains to improve testing results.*

*We need to make sure 100 percent of our students are proficient and prepared for life after high school," she said. - Bismarck Tribune*

(So, if 40% is good, maybe DPI staff/administrators should get 40% of their salary?)

## Parshall School 7-12

<u>YEAR</u>	<u>Reading</u>	<u>Math</u>
2008	67.21	60.66
2009	62.98	55.80
2010	60.38	50.31
2011	54.55	47.37
2012	48.07	43.09
2013	41.48	41.71
2014	40.48	35.00
2015	10.16	8.47

**Enrollment** PHS grades 7-12 currently less than 100 students

### **ACT Score**

2015 average 16.5. PHS is 2nd lowest in state, 24.6.

### **Graduation Rate**

2016 is <50%, more like 30%

### **Annual spending and approximate costs**

2015-16 Parshall School spending \$5,370,785.07 divided by 259 students = \$20,736.62

Private School roughly \$8,000

Sylvan Learning center \$6,600

Cost of college \$20,167.00 which includes tuition, board, room, books, and supplies

If you're going to keep blaming the parents, you may as well close the schools because every student has parents.

*"It is easy to be conspicuously compassionate if others are being forced to pay the cost."*

- Murray Rothbard