

1999 HOUSE EDUCATION

HCR 3072

1999 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HCR 3072

House Education Committee

Conference Committee

Hearing Date 3-1-99

Tape Number	Side A	Side B	Meter #
Tape # 1		x	19.5 to 27.5
Committee Clerk Signature <i>Jean Diez</i>			

Minutes:

Chairman R Kelsch , Vice Chair Drovdal , Rep Brandenburg , Rep Brusegaard , Rep Haas , Rep Johnson , Rep Nelson , Rep Nottestad , Rep L Thoreson , Rep Grumbo , Rep. Hanson , Rep. Lundgren , Rep. Mueller , Rep. Nowatzki , Rep. Solberg .

Chairman R Kelsch : We will open the hearing on HCR 3072 and ask the clerk to read the title.

Rep L Thoreson : District 13, sponsor, introduced the bill. This resolution deals with the administration of discipline in the public school. This study would help determine the length between discipline and achievement. This study is not intended to undermine local control, but to study the issue of discipline based on the premise that order and discipline play an increasing role in student achievement and raising the quality of education.

Vice Chair Drovdal : Anyone else wishing to speak on HCR 3072?

Max Laird: President of NDEA, asked Rep Thoreson to introduce this resolution. North Dakota has loose control on the issues of student discipline. We have federal legislation called the Gun Free Schools Act or the Safe Schools and Drug Free Schools Act. We have state statutes that have to do with punishment of students and legislation on weapons issues. DPI in the accreditation document on page 51, the following statement appears " relative to student parent handbooks, that there will in fact be information on the policies of student discipline in schools." At this point he shared three examples. One school drafted a policy from a national organization, the only problem with this policy is, it takes up forty five pages of the manual, requires numerous documents of documentation, to just administer the policy. Is it a good policy, probably, does it address all the issues, probably not. This is just one school districts attempt to handle the issue, we need a study with a lot of players at the table, including parents, school officials, legislators and other government officials.

Chairman R Kelsch : Anyone else who wishes to testify in support of HCR 3072? Anyone who wishes to testify in opposition of HCR 3072? Seeing none we will close the hearing on HCR 3072.

1999 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HCR 3072 -3-4-99

House Education Committee

Conference Committee

Hearing Date 3-1-99

Tape Number	Side A	Side B	Meter #
Tape # 2	x		24.4 to 27.7
Committee Clerk Signature			

Minutes:

Chairman R Kelsch , Vice Chair Drovdal , Rep Brandenburg , Rep Brusegaard , Rep Haas , Rep Johnson , Rep Nelson , Rep Nottestad , Rep L Thoreson , Rep Grumbo , Rep. Hanson , Rep. Lundgren , Rep. Mueller , Rep. Nowatzki , Rep. Solberg .

Chairman R Kelsch : We will take up HCR 3072, what are the wishes of the committee?

Vice Chair Drovdal : Move a DO PASS .

Rep Brandenburg : Second.

Chairman R Kelsch : Discussion. We will ask the clerk to call the roll on a DO PASS motion  
the motion passes 15 Yes 0 NO 0 Absent Do PASS and place on the consent calendar

Floor assignment Rep L Thoreson .

Date: 3-1-99  
Roll Call Vote #: 1

1999 HOUSE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. HCR-3072

House Education Committee

Subcommittee on \_\_\_\_\_  
or  
 Conference Committee

Legislative Council Amendment Number \_\_\_\_\_

Action Taken Do Pass + place on consent calendar

Motion Made By Drovdal Seconded By Brandenburg

Representatives	Yes	No	Representatives	Yes	No
Rep. ReaAnn Kelsch-Chairperson	✓		Rep. Dorvan Solberg	✓	
Rep. David Drovdal-Vice Chair	✓				
Rep. Michael D. Brandenburg	✓				
Rep. Thomas T. Brusegaard	✓				
Rep. C. B. Haas	✓				
Rep. Dennis E. Johnson	✓				
Rep. Jon O. Nelson	✓				
Rep. Darrell D. Nottestad	✓				
Rep. Laurel Thoreson	✓				
Rep. Howard Grumbo	✓				
Rep. Lyle Hanson	✓				
Rep. Deb Lundgren	✓				
Rep. Phillip Mueller	✓				
Rep. Robert E. Nowatzki	✓				

Total (Yes) 15 No 0

Absent 0

Floor Assignment Thoreson

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

REPORT OF STANDING COMMITTEE (410)  
March 1, 1999 4:23 p.m.

Module No: HR-36-3813  
Carrier: L. Thoreson  
Insert LC: . Title: .

**REPORT OF STANDING COMMITTEE**

**HCR 3072: Education Committee (Rep. R. Kelsch, Chairman) recommends DO PASS and BE PLACED ON THE CONSENT CALENDAR (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HCR 3072 was placed on the Tenth order on the calendar.**

**1999 SENATE EDUCATION**

**HCR 3072**

1999 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HCR3072

Senate Education Committee

Conference Committee

Hearing Date March 16, 1999

Tape Number	Side A	Side B	Meter #
1	x		4019-end
1		x	0-327
1		x	1823-1924

Committee Clerk Signature *Jinda Christman*

Minutes:

SENATOR FREBORG opened the hearing on HCR3072. All senators present.

REPRESENTATIVE THORESON, DISTRICT 44, testified in favor of HCR3072. The resolution deals with the administration of discipline in public school systems. All the way from discipline in classrooms to suspension and expulsion. The study would help determine the length between discipline and achievement. There are some studies that indicate the more severe the punishment the better or lower the prevalence of the offense. This is not to suggest that we are going to repeal Century Code 1547-47 which has to do with corporal punishment. This study is not intended to undermine local control but to study the issue of discipline based on the premise that order and discipline play an increasing role in student achievement and raising the quality of education.



SENATOR O'CONNELL : What kind of disciplines do you think should be used in public schools.

REP. THORESON: Corporal punishment is prohibited and I think that should be maintained. I think there are not too many paddles left in principals offices, which is good. I think discipline in most situations has to deal with taking away privileges.

SENATOR REDLIN : Leads to an inordinate expenditure, you actually think we're losing money.

REP. THORESON: Need to study it. There is a lot of expenditures that go into paying for punishments.

SENATOR KELSH : Lots of school districts can't afford it, would it be proper to use outside things such as removing driver licenses not allowing them to work, etc.

REP. THORESON: Not an expert on discipline.

SENATOR FLAKOLL : Would the scope of the study, would it also take away extra curricular activities.

REP. THORESON: I think there needs to be some consequences for disruptive behavior because it takes away the effectiveness of learning for the other students.

SENATOR O'CONNELL : Do you think biblical punishment (sending them home to their parents) has an affect or should be used more in public schools.

REP. THORESON: My personal opinion is no, there are so many inequities in dealing with parents and the way they deal with their children. There would be very little consistency in how that was dealt with.

SENATOR COOK : You mentioned North Dakota doesn't allow corporal punishment. Are there states that do.

REP. THORESON: Yes something in the neighborhood of 22 states.

SENATOR COOK : If we were to study this, might we not study the degree of discipline problems we have in the states that have corporal punishment.

REP. THORESON: Apparently there are 7 states and the Virgin Islands that allow corporal punishment as a disciplinary measure. The rest have some other form of corporal punishment.

SENATOR REDLIN : This committee has been apprised of alternative school programs that deal with folks that are very disruptive in the class, do you believe this is part of the element of helping with this problem.

REP. THORESON: Certainly in the systems that do have the alternative school at least they don't use it as a discipline tool. We have an alternative school in West Fargo and we work very hard at not using it as a disciplinary measure.

MAX LAIRD, PRESIDENT OF NDEA. I requested that Rep. Thoreson consider the possibility of this study for a variety of reasons beyond the scope of which I think that have been addressed at this point. In the past ND has addressed the issue both by virtue of code and by rule around the issues of punishment which was alluded to previously, the issue of weapons, and the issue of accreditation and rule. We in schools are seeing an increase need for alternative options which is an indicator of a situation that seems to be occurring in schools, that is, that we do have some additional discipline issues that we need to talk about in terms of whether or not we need to have additional rule or code to address some of these issues. Pertaining anywhere from respect and deportment in school to completion of homework, grading, issue of outside school activities,

envelopment of parents in the discipline process and participation of parents in schools in those types of issues. We have a changing environment in the public schools today and it is my belief that it is just simply time for us to take another look at this issue. We urge your consideration of this resolution.

Testimony in Favor: Larry Klundt, North Dakota Council of Education Leaders. We support this resolution.

Several students who were visiting the committee testified as to their view on corporal punishment. Students were from Bismarck High School and Mandan High.

SENATOR O'CONNELL : Put yourself in the teachers spot and you had a disruptive student, what power do you think you should have to deal with that student.

Student 1: If you pull the student aside and give extra attention, I think that has a better affect than sending them to detention. A lot of times students with disciplinary problems just need more attention.

Student 2: Depends on what you define disruptive. I have some teachers who consider coughing or talking about an assignment as disruptive. Corporal punishment does belong at home. To a lot of students detention is a lot worse than being hit with a paddle.

SENATOR FREBORG : Do you believe there should be more consistency among the teachers in how they discipline.

Student 2: Yes, because some think coughing is a disciplinary problem. You need to define exactly what disruptive is.

SENATOR FREBORG closed the hearing on HCR3072.

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Senate Education Committee  
Bill/Resolution Number HCR3072  
Hearing Date March 16, 1999

SENATOR WANZEK : I move a DO PASS, put on consent calendar.

SENATOR REDLIN : 2nd

Vote: 6 Yes 0 No 1 Absent

CARRIER: SENATOR WANZEK

Date: 3/16/99  
 Roll Call Vote #: \_\_\_\_\_

1999 SENATE STANDING COMMITTEE ROLL CALL VOTES  
 BILL/RESOLUTION NO. HCR 3072

Senate EDUCATION Committee

Subcommittee on \_\_\_\_\_  
 or  
 Conference Committee

Legislative Council Amendment Number \_\_\_\_\_

Action Taken Do Pass consent cal.

Motion Made By Wanzek Seconded By Redlin

Senators	Yes	No	Senators	Yes	No
Senator Freborg, Chairman					
Senator Cook, Vice Chairman	✓				
Senator Flakoll	✓				
Senator Wanzek	✓				
Senator Kelsh	✓				
Senator O'Connell	✓				
Senator Redlin	✓				

Total (Yes) 6 No 0

Absent 1

Floor Assignment Wanzek

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

REPORT OF STANDING COMMITTEE (410)  
March 16, 1999 1:13 p.m.

Module No: SR-47-4880  
Carrier: Wanzek  
Insert LC: . Title: .

**REPORT OF STANDING COMMITTEE**

**HCR 3072: Education Committee (Sen. Freborg, Chairman) recommends DO PASS and BE PLACED ON THE CONSENT CALENDAR (6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HCR 3072 was placed on the Tenth order on the calendar.**