

MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION
SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

2052

2001 SENATE EDUCATION

SB 2052

2001 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2052

Senate Education Committee

Conference Committee

Hearing Date 01-15-01

Tape Number	Side A	Side B	Meter #
1		x	12.4 - end
2	x		0 - 22.9
1 (01-17-01)		x	40.8 - end
2	x		0 - 19.8
Committee Clerk Signature <i>Andie Johnson</i>			

Minutes: CHAIRMAN FREBORG called the hearing on SB 2052 relating to the school calendar and mandated school holidays..

Testimony in Support of SB 2052.

SENATOR ANDRIST, one of the sponsors of the bill, testified in support of SB 2052. (see attached). He also presented proposed amendments to the bill (10281.0101) (see attached).

SENATOR O'CONNELL wondered if you gave the schools the option of two days for the NDEA Convention, what happens if each school picked different days. SENATOR ANDRIST feels to local school board should make the decision and he has confidence that the schools will work together. SENATOR O'CONNELL asked how many teachers would be involved in the process. SENATOR ANDRIST stated it was his intent to involve the teachers and he presumed the school board would be fair and the local representative for NDEA would discuss the issue. However, if the committee feels there should be more specific, he would support that.

SENATOR FREBORG stated that in present law the teachers have the option to come to the

board and discuss the school calendar. SENATOR CHRISTENSON asked if this bill implies that a professional assembly of teachers statewide can be optional, and this may denigrate the professional attitude people have toward the teaching profession in this state. SENATOR ANDRIST doesn't feel that could be read into this. He feels the conference should be able to encourage its members to attend with interesting programs, topics, etc. and the schools should be given the choice to attend the state conference or hold their own in-service training. SENATOR KELSH asked if most local school districts either require their teachers to attend the conference or be in the local school building doing classroom work. SENATOR ANDRIST stated he felt that is the practice of most districts.

TONY WEILER, appearing on behalf of the State Association for Nonpublic Schools (SANS), supports the bill.(see attached). SENATOR WANZEK asked if a nonpublic school has the discretion to have their own calendar. He replied they do. SENATOR WANZEK asked what percent of nonpublic schools dismiss for the NDEA Convention. Mr. Weiler replied that some do not close for NDEA convention.

Testimony in opposition to SB 2052.

MAX LAIRD, President of NDEA, testified in opposition to this bill. (see attached). He feels if this bill passes, it will be difficult for NDEA to offer a conference without knowing the number of people attending. SENATOR O'CONNELL asked how many teachers are in ND. He stated there are 9600 licensed professionals, 9000 licensed by the educational standards and practices board and about 600 that are licensed by some other agency and are employed by a public school. He stated NDEA has over 8000 of these professionals in their membership which includes several categories. He stated NDEA represents about 85% of classroom teachers in ND.

DIANNE MONDRAY, a classroom teacher from Grand Forks, ND, testified that most teachers consider the NDEA Conference an important part of their continuing education. SENATOR KELSH asked if the location of the convention matters to the attendees. She feels it is helpful to be able to visit schools and classrooms outside your own area. SENATOR COOK asked what is expected of teachers who do not attend. She stated those in her district who do not attend the conference fill out a form as to what they will be doing the two days of the conference and they are expected to be in the classroom for a contractual day. SENATOR WANZEK asked if she felt the conference is instructional. She replied yes, that no association business is carried out. It is all instructional workshops and keynote speakers. The NDEA holds its assemblage on a Saturday in April for the purpose of electing officers and carrying out other business.

SENATOR COOK asked if there is a fee to attend the NDEA conference. She replied no.

SENATOR COOK asked about nonmembers.

RICHARD OTT, North Dakota Council of Educational Leaders (NDCEL), stated the primary concern of NDCEL is if the bill passes, there could be a domino effect, as the administrators meet during this time also for their meetings. He has attended some conventions, and feels it is a highly charged, very valuable educational experience for these people. He stated there is a registration fee for the administrators to attend their meeting, which is a major source of their income. SENATOR FREBORG asked if the administrators could meet anytime. MR. OTT stated yes. SENATOR KELSH asked what levels of administrators attend. MR. OTT replied all levels of administration are included.

JOE LENNERTZ, Director of Accrual and Accreditation for the Dept. Of Public Instruction, appeared on behalf of Anita Decker. (see attached testimony from Ms. Decker). He appearing not so much in opposition to the bill, but to offer amendments to the bill. (see attached). The

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Department of Public Instruction approves the calendars for schools twice a year for the purpose of 180 days. This is done in the spring and fall. The deadline is October 30 for the calendar, which overlaps the current calendar year. The schools submit their calendars a year in advance. SENATOR FLAKELL asked what opportunities exist for professional development throughout the state. MR. LENNERTZ didn't know. SENATOR COOK asked which holidays the amendments speak to. MR. LENNERTZ stated DPI thought this would give the schools a framework to work in rather than leaving it open-ended.

MAX LAIRD, President of NDEA, and the committee continued in discussion. MR. LAIRD stated there are approximately 9600 individuals employed in school districts with licenses. There are about 600 that have licenses that are not administered by the Educational Standards and Practices Board. There are about 2000 administrators, 7000 teachers (which includes retired, staff, etc.). He stated less than 1% of the 3-5000 people registered for the NDEA convention do not attend all or some parts of it. This is hard to track because there are no attendance record kept. There are two fee structures. Members pay nothing. Nonmembers pay \$200. He feels if this bill is passed, the conference will ultimately be canceled and the professional development would be left up to the local districts. He stated he has been contacted by communities who are concerned about the impact on the host community if this conference is not scheduled or held. It is a multi-million dollar impact to the host community. However, MR. LAIRD stated that NDEA would adjust if this bill is passed, but it would be difficult. SENATOR FLAKELL asked what other opportunities exist in the state for teacher development. There are professional development opportunities (conferences on national board teacher certification, on standards and assessments, on evaluation, and opportunities for local districts to provide professional

development in technology) held continuously as NDEA has time and dues dollars dedicated to a staff position for this.

BEV NIELSON, North Dakota School Board Association, stated NDSBA has no set position on this bill. They are interested in more professional development days. Their concerns are:

1. What to do with the teachers who don't attend
2. Verification of attendance
3. Costs involved
4. Offering in-service opportunities for those not attending

They feel the benefits of the NDEA Conference are it is an excellent, high quality conference.

NDSBA feels there would be a different quality in the programs if they are put under local control only. SENATOR KELSH asked if school districts pay for their teachers to attend the conference. She replied that she was unaware of any district covering the cost for their staff.

She further stated that most teachers are responsible for their own costs in obtaining continuing education.

SENATOR ANDRIST again stated his support for NDEA and its conference. However, if the reality is that only 1/3 of the teachers attend, then maybe we need to have something for the other 2/3 who do not.

There being no further testimony, the hearing on SB 2052 was closed.

The committee was adjourned.

01-17-01, Tape 1, Side B, 40.8 - end, Tape 2, Side A, 0 - 19.8

Discussion. SENATOR KELSH asked if this bill eliminates all the holidays that are listed in law now. SENATOR COOK stated that the repealer part of the amendment does eliminate the holidays listed in NDCC 15.1-06-02. These days are not part of the 180 days that are mandated

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for school. The bill allows the local school board to use up to 5 days for whatever they wish and if the repealer stay in, they could set holidays as they want as long as they have 173 days of contact. There was discussion on removing the repealer part of the amendment. The committee did not think the repealer was part of the intent of the bill.

SENATOR COOK moved to remove the repealer from the amendments. Seconded by **SENATOR FLAKOLL**.

Roll call vote: 5 Yes. 2 No. 0 Absent. Motion carried.

SENATOR KELSH stated the sponsor wanted to give total control to local schools and would not want the repealer taken out of the amendment. **SENATOR FLAKOLL** feels the dates in 15.1-06-02 should be left in NDCC. **SENATOR FREBORG** explained the days being discussed are a part of the 180 day calendar, 2 days for parent/teacher conference and the other 5 days being talked about. The holidays in Century Code are mandated and not a part of the 180 day calendar. **SENATOR CHRISTENSON** made a plea on behalf of NDEA annual convention. She feels the convention helps teachers in their professional growth. She feels by passing this bill would hurt attendance at the convention and in time the convention will end.

SENATOR COOK moved the amendment as amended. **SENATOR FLAKOLL** seconded.

Roll Call Vote: 4 Yes. 3 No. 0 Absent. AMENDMENT ADOPTED.

SENATOR COOK moved **DO PASS AS AMENDED**. Seconded by **SENATOR FLAKOLL**.

Discussion by committee. In visiting with constituents, **SENATOR KELSH** stated that a large percentage of teachers attend the conference. He doesn't feel the local districts can present a program on professional development as well as the state NDEA group. **SENATOR O'CONNELL** feels they are penalizing many for actions of a few. **SENATOR FREBORG** said

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it is very hard for local school districts to monitor attendance at the NDEA Conv. Because NDEA does not send out registrations. SENATOR COOK stated this is state control versus local control.

SENATOR COOK moved a DO PASS as AMENDED. Seconded by SENATOR FLAKOLL.

ROLL CALL VOTE: 4 Yes. 3 No. 0 Absent. Motion Carried.

Carrier: SENATOR COOK

SENATOR FREBORG adjourned the committee.