

MICROFILM DIVIDER

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



ROLL NUMBER

DESCRIPTION

2149

2001 SENATE EDUCATION

SB 2149

2001 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2149

Senate Education Committee

Conference Committee

Hearing Date 01-24-01

Tape Number	Side A	Side B	Meter #
1	x		0 - end
1		x	0 - 6.6
2		x	39 - 45.3

Committee Clerk Signature *Shirley Johnson*

Minutes: **CHAIRMAN FREBORG** called the committee to order.

Attendance was taken with all members present.

CHAIRMAN FREBORG called the hearing on SB 2149 which relates to required school curricula.

Testimony in support of SB 2149:

GREG GALLAGHER, Education Improvement Team Leader, DPI, testified in support of the bill. (see attached testimony). **SENATOR O'CONNELL** asked about Section 6, Repeal. He stated the repealer is the result of the interim committee on the rewrite of Title 15 with the recommendation that all sections within 15-38 be stricken and be reworked into what has now become 15.1-21. (this is identified in HB 1045).

LINDA EDWARDS, Director of Professional Development, NDEA, presented prepared testimony. (see attached). **SENATOR KELSH** asked her if she felt technology and voc/tech should be left out of standards. She stated that as a teacher she works with curriculum that

includes technology. SENATOR WANZEK asked with content standards and assessment, is there still enough flexibility for the classroom teacher to be creative and innovative in addressing a unique and local need of the students. She felt there is flexibility in aligning the curricula to the National Standards and she was never told how to teach to accomplish that. SENATOR FREBORG asked if NDEA believes in Standards and Assessment. She stated that Standards are critical and Assessment should be authentic and multiple source, based on what the student learned in the classroom.

Testimony in opposition to SB 2149:

JIM HOFMAN, Superintendent of Shiloh Christian School, presented prepared testimony in opposition to the bill. (see attached).

TONY WEILER, State Association of Nonpublic Schools (SANS), presented testimony in opposition to the bill. (see attached).

WILLIAM M. SCHUH, presented testimony in opposition to the bill. (see attached).

STEVE CATES feels the bill puts control of significant amounts of education in the hands of the Supt. Of DPI. He feels in the flow of dollars, there are rules to follow to receive money. He further feels there are many parents who do not support that concept. He wonders how our country got to where it is without standardized education. He feels standardized education downplays individualism. He would like to see local districts be able to adopt parts of the standards they feel are necessary. Also, this bill does not identify a specific problem.

CAM LEDAHL stated the founding fathers did not plan for central control over education. He feels local districts and parents should have a say in what their children are being taught. He feels standards should be voluntary.

Those testifying in a Neutral position on SB 2149.

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Senate Education Committee
Bill/Resolution Number sb 2149
Hearing Date 01-23-01

DEAN BARD, ND Small Organized Schools, sees a need for standards. However, NDSOS supports SB 2036. The concern with this bill is the standards outlined should be developed by a wide range of input (boards, parents, etc.). They further feel the standards should be developed through the hearing process which would be a safeguard for the local community.

The hearing on SB 2149 was closed.

TAPE 2, SIDE B, 39.0 - 45.3

SENATOR COOK moved a DO NOT PASS. Seconded by SENATOR FLAKOLL.

Roll call vote: 7 YES. 0 NO. 0 Absent. Motion Carried.

Carrier: SENATOR FLAKOLL

The Committee stood adjourned.

FISCAL NOTE
 Requested by Legislative Council
 12/26/2000

Bill/Resolution No.: SB 2149

Amendment to:

1A. 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.*

	1999-2001 Biennium		2001-2003 Biennium		2003-2005 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues	\$0	\$0	\$0	\$0	\$0	\$0
Expenditures	\$0	\$0	\$0	\$30,000	\$0	\$90,000
Appropriations	\$0	\$0	\$0	\$0	\$0	\$0

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

1999-2001 Biennium			2001-2003 Biennium			2003-2005 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts
\$0	\$0	\$0	\$0	\$0	\$320,000	\$0	\$0	\$640,000

2. Narrative: *Identify the aspects of the measure which cause fiscal impact and include any comments relevant to your analysis.*

SB 2149 proposes to establish state content standards, to require the adoption of local content standards, and to require the alignment of state standards to local curriculum. The proposed legislation would enact the following provisions:

1. Content standards are to be developed by the state and set at benchmark grades 4, 8, and 12.
2. Content standards would be phased in over a span of two successive school years, beginning with 2002, until all of the following disciplines were fully implemented: English language arts, mathematics, science, social studies, health, physical education.
3. State content standards in every discipline would be continuously updated every five years to remain current with accepted practices.
4. Local districts and nonpublic schools would either adopt the state content standards or develop alternative content standards that meet or exceed the rigor of the state standards, as validated by the state superintendent of public instruction.
5. Local districts and nonpublic schools would align their curriculum to the approved content standards for each discipline. This alignment process would be phased in over a span of three school years, beginning in

2002.

A. Logistical and budgetary impacts to the state.

Within SB 2149, a requirement is placed on the state superintendent to develop state content standards at benchmark grades 4, 8, and 12, in nine discipline areas. These standards are to be updated on a five-year cycle.

Content standards development costs.

The Department of Public Instruction has developed detailed protocols concerning the development and continual revision of state content standards. Given the product and timeline requirements of SB 2149, the Department of Public Instruction will meet all product deadlines as stipulated. The Department's product protocols will accommodate any future scheduled updates. Scheduled revisions to current standards will begin in 2001-2002.

All products have been produced with the use of federal Goals 2000 and Title VI funds. The use of federal funding to revise future updates to the state content standards is contingent on the pending reauthorization of the Elementary and Secondary Education Act. In the event that future federal funding is inadequate, any future updating of state standards would need to shift to state funding. It is estimated, based on well-established practices, that the cost of updating each discipline will approximate \$30,000. An estimated breakdown of development costs to be incurred by the state is provided below.

**State Impact to Develop State Content Standards, Benchmark Grades 4, 8, 12
2002-2003**

ELA-Revision-\$30,000

Math-Complete-0

Science-Complete-0

Soc Studies-Complete-0

2003-2004

Health-Complete-0

Phy Ed-Complete-0

Phy Ed-Complete-0

Math-Revision-\$30,000

2004-2005

Science-Revision-\$30,000

Health-Revision-\$30,000

B. Logistical and budgetary impacts to local districts and nonpublic schools.

Within SB 2149 a requirement is placed on local districts and nonpublic schools to (1) adopt or adapt the state content standards and (2) to align local curriculum to the approved standards. In establishing estimates to local districts and nonpublic schools, a clear understanding of the proposal's stated requirements is required.

1. Adopting state content standards.

SB 2149 states that local districts and nonpublic schools can minimally adopt the state's content standards at benchmark grades 4, 8, 12. Since the state assumes the full cost and responsibility for developing state content standards at grades 4, 8, and 12, a local district or nonpublic school need assume no cost in adopting state content standards. A district or nonpublic school need only enact through a formal resolution of its school board the adoption of the state's content standards to be in compliance with this provision. It is assumed, however, that the district will incur minimal costs associated with reviewing, publishing, and distributing the standards. These costs are currently absorbed by districts as they regularly review their curriculum guides. The estimated financial impact per local district or nonpublic school, however, for the actual development of the content standards is \$ 0, local funds.

2. Developing alternate academic content standards.

SB 2149 allows local districts or nonpublic schools, at their voluntary discretion, to develop alternate content standards that meet or exceed the rigor of the state's content standards as determined by the state superintendent. Any such standards must minimally address the benchmark grades 4, 8, and 12.

The costs incurred by a district to develop alternate content standards can vary considerably, depending on the scope of grade levels within the project and the depth of research undertaken by the district. A review of historical, local Goals 2000 curriculum development grants indicates that a local district can spend between \$5,000 and \$40,000 to develop alternate content standards per discipline. Although, it must be noted, higher-priced projects cover expanded k-12 grades and incorporate additional curricular alignment and extensive professional development into the costs of such projects.

ESEA and Goals 2000 funding have been available to local districts and consortia for the past six years and has afforded many districts the opportunity to develop their own comparable content standards and curriculum alignment. Within SB 2149, any such projects are strictly voluntary with costs to be incurred by the district or nonpublic school that seeks such an option. Federal funds are readily available to local

districts and nonpublic schools through various professional development and curriculum development programs.

If a district were to develop its own alternate content standards at a minimal benchmark level using various outside documents for validation, it may, based on historical documentation, anticipate a cost of \$5,000. This cost would only cover the alternate content standards and not curriculum alignment. However, since an alternate standard is not required by SB 2149, it would not be an appropriate state cost. Therefore, the estimated, required, financial impact to local districts and nonpublic schools regarding alternate content standards, is \$ 0, local funds.

3. Aligning curriculum to content standards.

SB 2149 provides that the state superintendent require local districts or nonpublic schools to align their curriculum to approved content standards at the benchmark grades 4, 8, and 12. The process of aligning curriculum to approved standards is to be phased in over the course of three school years.

Because content standards, by their nature, are high-level content guides, they cannot stand alone as a legitimate curricular tool ready for classroom use. Content standards, instead, serve as a foundation upon which any curriculum is built. And it is expected that any such alignment process will cost money. Any alignment activity must minimally address the benchmark grades 4, 8, and 12. To align additional grades beyond the benchmark is strictly voluntary.

The costs incurred by a district to align curriculum to standards can vary considerably, depending on the scope of the project's grade levels and the depth of research undertaken by the district. As itemized above regarding standards development, a review of historical, local Goals 2000 curriculum development grants indicates that local district can spend between \$5,000 and \$40,000 to align curriculum to standards per discipline. Although, it must be noted, higher-priced projects cover expanded k-12 grades and incorporate extensive professional development into the costs of such projects.

ESEA and Goals 2000 funding have been available to local districts and consortia for the past six years and have afforded many districts with the opportunity to align curriculum to standards. Federal funds are readily available to local districts and nonpublic schools through various professional development and curriculum development programs.

Based on historical grant documentation and a budget survey of three districts engaged in extensive curriculum alignment, the establishment of content standards, and the alignment of curriculum to standards combined at grades 4, 8, and 12 would cost districts or consortia approximately \$5,000 per discipline to conduct. A \$5,000 estimate is considered liberal to accomplish the minimal requirements of SB 2149. The chart below offers an overview of the estimated costs per year per district/consortium to be in compliance with SB 2149. It must be noted, that many schools conduct curriculum development and professional development within consortia. It is reasonable to assume, based on historical practice, that the vast majority

of districts would develop curriculum alignment within a consortium.

**Local District/Consortium Impact for Curriculum Alignment At Benchmark Grades 4, 8, 12
2002-2003**

ELA-\$5,000

Math-\$5,000

2003-2004

Science-\$5,000

Soc Studies-\$5,000

2004-2005

Health-\$5,000

Phy Ed-\$5,000

Based on the table above, a district/consortium that would conduct its own curriculum alignment would incur a cost of approximately \$45,000 to accomplish the requirements of SB 2149 over a three-year span. It is estimated, based on previous curriculum development activity, that approximately 20 districts might participate in independent curriculum development activities and the remaining districts might participate within approximately 40 curriculum development consortia. Therefore, if each district or consortium pursued its own independent curriculum alignment activities, 65 district/consortium centers combined would generate separate curriculum alignment activities at an estimated cost of \$325,000 per discipline.

Three mitigating factors will lessen any such development costs that might be absorbed by the state's general fund. First, several districts and consortia (e.g., Grand Forks, Bismarck, Wahpeton) have invested considerable financial and human resources, with the aid of federal grants, to generate grade-specific, k-12, content standards and aligned curricula in most disciplines. These products have undergone considerable validity reviews and are being made available to any interested districts or consortia, free of charge. Such free exchanges of products have greatly reduced development costs to districts. Even if a district were to develop its own curriculum alignment, it would do so at a reduced cost. Given the requirements of SB 2149, it is conceivable and permissible for a district to adopt the aligned curriculum of another district or consortium at no cost. Therefore, if a district were to adopt another district's curriculum alignment, it is possible for a district to meet the full requirements of SB 2149 for \$0.

Second, many districts have already invested into and completed their curriculum alignment activities. Although the Department of Public Instruction has not collected curriculum alignment data thus far, anecdotal reports from the field indicate increased alignment activity within the past three years. Curriculum development is an ongoing, historical activity of districts. It is something that simply must be

done to be in compliance with state accreditation rules. As districts have rotated through their curriculum development work, they have done so increasingly with an eye on the state's content standards. If SB 2149 were to be enacted, by 2002 most districts will have begun some degree of alignment using federal funding and the collegial assistance of other districts or consortia.

Third, districts and consortia have accessed federal ESEA and Goals 2000 funding which has been dedicated largely to standards-related activities. Since 1994, the state's local districts have received approximately \$7,000,000 in Goals 2000 funding; \$7,000,000 in Title II Professional Development funding; \$8,000,000 in Title VI: Innovative Instruction funding; and an allowable portion of the Title VI: Class-Size Reduction funding, which now totals \$11,700,000. Although the reauthorization of ESEA is pending in Congress and its specifics are yet to be determined, there is every indication that federal funding for such professional activities will continue at comparable levels.

It is reasonable to assume for estimation purposes that by the year 2002, given the increasing number of curriculum alignment products available free to districts, approximately 50% of districts will meet the requirements of curriculum alignment. Those districts that do not comply by 2002 can adopt other districts' standards-aligned curriculum or develop their own. If the legislature were to underwrite such activities through the general fund, it is estimated that it would cost \$160,000 to fund 32 curriculum development efforts per discipline. Listed below is a chart that summarizes possible statewide costs within such a scenario.

Statewide Impact for Curriculum Alignment, 32 District/Consortia Projects
2002-2003

ELA-\$160,000

Math-\$160,000

Total Cost-\$320,000

2003-2004

Science-\$160,000

Soc Studies-\$160,000

Total Cost-\$320,000

2004-2005

Health-\$160,000

Phy Ed-\$160,000

Total Cost-\$320,000

4. Sustained, supportive professional development costs.

The focus of SB 2149 lies in adopting local content standards and aligning curriculum to these standards. The preceding testimony outlines anticipated costs associated with this process, resulting in proficient compliance with the law. Inherent in any such endeavor is the cost of sustainable, long-term professional development. Because Proposal 1 entails activities required to establish compliance with the law, my testimony will not address the long-term professional development costs. Professional development costs, by their very nature, span many years in order to incorporate educational best practices into instructional and administrative activities. Sustaining professional development is also a fundamental reason that Congress appropriates millions of dollars annually to North Dakota schools. Federal ESEA, IDEA, and Goals 2000 funding is solely dedicated to these supplemental education improvement activities. If Proposal 1 were to be enacted there will exist a pool of federal funds for local schools to access in order to pursue ongoing professional development. What will be required of local schools is that they reprioritize activities in order to accomplish this aim.

This section has overviewed anticipated logistical and budgetary impacts related to SB 2149.

All funds expended are identified as federal curriculum or professional development funds.

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.*

C. Appropriations: *Explain the appropriation amounts. Provide detail, when appropriate, of the effect on the biennial appropriation for each agency and fund affected and any amounts included in the executive budget. Indicate the relationship between the amounts shown for expenditures and appropriations.*

Name:	Greg Gallagher	Agency:	Public Instruction
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Phone Number: 328-1838

Date Prepared: 01/08/2001

REPORT OF STANDING COMMITTEE (410)
January 24, 2001 5:19 p.m.

Module No: SR-12-1560
Carrier: Flakoll
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

SB 2149: Education Committee (Sen. Freborg, Chairman) recommends DO NOT PASS (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2149 was placed on the Eleventh order on the calendar.

2001 TESTIMONY

SB 2149

**TESTIMONY ON SB 2149
SENATE EDUCATION COMMITTEE
January 24, 2001**

**By Greg Gallagher, Education Improvement Team Leader
Department of Public Instruction
328-1838**

Mr. Chairman and Members of the Senate Education Committee:

I am Greg Gallagher, Education Improvement Team Leader within the Department of Public Instruction. I am here to speak in favor of SB 2149 and to present an overview of its provisions.

SB 2149 amends current state law by addressing the following requirements:

- (1) defines the core subject areas to be taught in schools;
- (2) requires that schools adopt or adapt content standards for these subject areas;
- (3) requires that schools align their curriculum within these subject areas to the school's content standards;
- (4) defines an approved school in terms of its compliance status with the content standards provision and the school calendar provision.

SB 2149 is a Department of Public Instruction proposal that builds upon SB 2036, the interim Education Finance Committee's standards bill. SB 2149 mirrors many of the provisions contained in SB 2036; however, SB 2149 makes several adjustments in the definition of covered subject areas and the implementation schedule.

(1) *The core subject areas to be taught in schools defined.*

SB 2149 places all references to curricular alignment to standards within the context of required core subjects. As such, SB 2149 adopts the current language and references contained within the Legislative Council's rewrite of Title 15 (contained in HB 1045). SB 2149 adopts HB 1045's repeal of NDCC 15-38 and adopts the redefinition of core subjects contained in HB 1045 (Section 15.1-21). Within SB 2149, Section 1 defines the core subject areas to be taught and requires that schools adopt or develop curricula aligned to the state academic content standards at grades four, eight, and twelve. These subject areas are simply an updated version of the current core subject areas.

(2) *Requirement that the state adopt content standards for these subject areas.*

Section 2 of SB 2149 requires the State Superintendent to develop and distribute content standards for each core subject. The Department of Public Instruction has already met this requirement with the development of content standards over the past five years. The Department is likewise poised to maintain a five-year revision schedule for all subject areas. All content standards are developed by North Dakota teachers according to strict protocols. The Department's fiscal note outlines the anticipated costs associated with this activity.

SB 2149 differs from SB 2036 regarding the number of core subjects. SB 2149 drops any reference to the arts, world languages, or technology as a core subject. The Department acknowledges the important role of each of these subject areas; however, given the identified list of core subjects within the Title 15 rewrite, the Department does not believe it is in the state's best interest to advance too quickly to expand this list in law. It is better to work within the current list, establish a culture of content standards from this list, consolidate gains, and then consider possible expansions.

North Dakota has developed content standards for the arts and is currently developing content standards in world languages and technology. These standards are/will be available to schools for inclusion into their curriculum. It must be noted that most schools currently do not have curricula that cover the expansiveness of the state content standards in the arts, world languages, or technology. The Department believes that it would be an excessive requirement to place the expansiveness of these standards on schools at this time. SB 2036 makes a more comprehensive list. SB 2149 is more limited. Based on this assessment, the Department recommends removing content standards in the arts, world languages, and technology from any list of core subjects. SB 2149 achieves this.

(3) *Requirement that schools adopt or adapt content standards for these subject areas.*

Section 3 of SB 2149 requires schools to adopt or adapt content standards for all core subjects. This process spans two years: (1) within 2001-2002 schools must adopt or adapt standards in mathematics, English language arts, science, and social studies; (2) within 2002-2003 schools must adopt or adapt standards in health and physical education.

Adoption of the state standards may be conducted through a simple school board resolution. However, if a school or district chooses, it may develop its own content standards such that they meet or exceed the rigor of the state's standards. The Department's fiscal note outlines the anticipated costs associated with this activity.

(4) *Requirement that schools align their curriculum to the school's content standards within these subject areas.*

Section 4 of SB 2149 requires schools to adopt or adapt curriculum that is aligned to the state standards in each of the core subject areas. This process spans three years: (1) within 2002-2003 school must adopt or adapt aligned curricula in mathematics and English language arts; (2) within 2003-2004 schools must adopt or adapt aligned curricula in science and social studies; (3) within 2004-2005 schools must adopt or adapt aligned curricula in health and physical education. All curricula are determined by the local school district or school. Schools may adopt curricula that were designed by other districts or schools, so long as they are aligned to the state content standards. Many districts and schools cooperate with other districts in the development of curricula currently. This provision is achievable given the scope and incremental nature of the implementation phase.

(5) *Approved school defined in terms of compliance with the content standards provision and the school calendar provision.*

Section 5 of SB 2149 amends the state's current approval statute in three areas. First, SB 2149 replaces the current reference to "all subject areas required by law" with a school's compliance with the content standards provisions identified in Sections 1-4. This update clarifies that adherence to content standards. This inclusion in the approval law underscores the importance to assure quality in terms of content standards and not merely the listing of subject titles.

Second, SB 2149 adds the school calendar (15.1-06-04) as an essential element of approval. Reporting a school calendar is a requirement of schools now; therefore, listing calendar within approval simply clarifies the law.

Third, in order to update the approval language regarding teacher licensure, the Department recommends the adoption of language contained in SB 2036. The

Department proposes the amended language to the teacher licensure provision found at the end of this testimony.

Section 6 of SB 2149 summarizes the sections of current law that would be repealed. This list reflects the repeals recommended by the Legislative Council's Title 15 rewrite work as itemized in HB 1045. Within HB 1045, NDCC 15-38 is repealed and its various sections reorganized or eliminated. SB 2149 accommodates these changes.

Over the course of the past five years, hundreds of North Dakota teachers and administrators have participated in the drafting of the state's academic content standards. Additionally, many more teachers have participated in the alignment of their local district's curriculum to these state content standards. Standards have helped to drive the content of professional development statewide, with each year showing a higher level of teacher engagement in the standards. Standards have become the foundation to the state's future assessment activity. Standards will emerge increasingly as the reference point for the state's accreditation system.

Despite all these advancements regarding state standards, North Dakota law remains silent regarding any reference to standards as our state's definition of a minimal, quality education. SB 2149 moves the state's operative definition of a quality education away from the mere listing of non-defined subject areas into the dynamic, field-driven definition of a subject in terms of its critical content. Standards are defined by the state's teachers as the foundation of a comparable, quality education within North Dakota. SB 2149 offers a vehicle for the legislature, the state's school board, to support such work and to define quality education in terms of standards. Standards, by their nature, as a product of state-wide professional deliberation, offer the best means to identify what comparability of educational opportunity truly means in North Dakota. Because standards remain updated on a predefined schedule, standards will remain ever fresh to new developments. Because standards offer a common forum for professional development, standards become a tangible means to advance the quality of instruction within North Dakota.

The Department of Public Instruction supports the work of the interim Education Finance Committee, and its resulting legislation. The Department, nevertheless, offers SB 2149 as a friendly alternative that will allow the state's schools to move toward

standards-based education on solid ground. The Department welcomes further discussions to integrate the best elements of SB 2036 with SB 2149. Any effort to do so will assure good legislation impacting our state's students.

Mr. Chairman, this completes my testimony. I am available to answer any questions from the Committee.

Proposed Amendment to SB 2149

Page 3, line 11: strike "holds a valid teaching certificate issued" and replace with "is licensed to teach by the education standards and practices board or approved to teach"

Testimony for SB 2149
Senate Education Committee
Curricula Alignment to Content Standards
By Linda Edwards, Director of Professional Development
North Dakota Education Association

Curriculum alignment is really a combination of processes, steps, and decisions that lie at both the heart of standards-based reform and the professionalism of teaching. These processes may ultimately determine the success or failure of standards-based education and are therefore critically important for teachers to understand.

Any alignment process is essentially a comparison of two or more things to each other. In the case of curriculum alignment, what is usually being referred to is a comparison between curriculum used at a local level and a set of state-defined standards or state assessment. The purpose of alignment is to discover how closely what is being taught at the local level is likely to match what students will be accountable for learning and teachers will be accountable for teaching.

For teachers, alignment has another equally important meaning--judging the degree to which instructional activities they design and implement in their classrooms match the curriculum the district has adopted and, ultimately, any standards that have been designed by the state.

This second type of alignment is an ongoing, continuous process that requires teachers to make important choices and informed decisions about precisely what will be taught and how. It is this second process that is at the heart of the professionalization of teaching as teachers weigh the nature, rigor, and duration of instructional activities against student needs, abilities, and ultimately desired performance levels.

Aligning curricula to standards is a critical component to have standards truly incorporated into our curriculum and thus into our classrooms. I urge your support of SB 2149.



January 24, 2001

Honorable Chairman and Members of the Senate Education Committee:

My name is Jim Hofman; I am the immediate past president of the State Association of Nonpublic Schools, serve on its executive committee and am also Superintendent of Shiloh Christian School located here in Bismarck. I rise before you this morning to stand in opposition to SB2149, a bill to provide for "curricular aligned to content standards in all schools."

As the past president of SANS, I represent approximately 40 schools spread across our great state which represent an enrollment of approximately 7,500 pupils in grades K-12. These schools are as diverse as the communities and the founding fathers they represent. They include both independent Christian schools, schools that are controlled by the parents who send their children to them, and parochial schools, which are owned and supported by various church denominations. All of us, however, share in common a vision of excellence in education and support the parents' right to choose the education their children receive. The vast majority of the parents who are represented in these schools are not fleeing from or standing in opposition of the local government-supported school; but rather, come out of a heart conviction, searching for a school where the values that are taught in their homes and in their churches are more clearly reflected in the schools. We all believe in the diversity that needs to exist within this enterprise called education.

On behalf of both the State Association of Nonpublic Schools and Shiloh Christian, I wish to state our serious opposition to the change in the standards for approval, especially as they relate to nonpublic schools. As you are aware, in the past all nonpublic schools in the state of North Dakota needed to meet four standards for approval, namely:

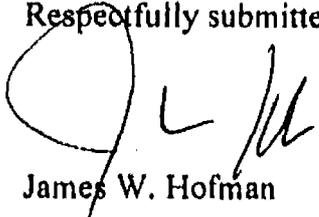
- 1) All teachers shall be legally certified in accordance with Chapter 15-36 of the North Dakota Century Code.
- 2) The subjects offered are in accordance with Section 15-38-07 of the North Dakota Century Code.
- 3) The school term shall be 180-day term along with the other provisions of Section 15-45-33 of the North Dakota Century Code.
- 4) The school shall comply with all municipal and state health, fire, and safety laws and regulations.

We believe that SB2149 adds a significant and onerous burden to those criteria. We agree that the State Department of Public Instruction should control which courses and subjects are offered in the schools in the State of North Dakota; however, we vigorously object to the Department of Public Instruction, and specifically the Superintendent of Public Instruction, dictating the content of the courses. One of the privileges of having an independent or private school, is the privilege, for example, of choosing which selections of English literature are going to be studied in a English course. Also, to determine in science how we are going to handle the discussion of the origins of the world. We could go on and on in terms of the potential for significant differences between the content of courses taught in nonpublic schools versus the content standards adopted by the Superintendent of Public Instruction.

We would, therefore, urge you to remove the academic requirement standards language that would include nonpublic schools. The history of nonpublic education in the state of North Dakota is a history, we believe, of great success. The academic standards that we have meet or exceed those that are held in the government supported arena. We believe that to require us to teach the content that a superintendent from a completely unrelated entity dictates would significantly infringe upon the freedom we have to teach the curriculum content adopted by our local school boards.

Thank you for your attention to my remarks and for your consideration of this significant change in the standards for approval of nonpublic schools in the State of North Dakota.

Respectfully submitted,



James W. Hofman

January 24, 2001

SENATE EDUCATION COMMITTEE
SB 2149

CHAIRMAN FREBORG AND MEMBERS OF THE COMMITTEE:

My name is Tony Weiler. I am appearing today on behalf of the State Association of Non-Public Schools (SANS). We are in opposition to this bill because it could require our schools to develop curricula in accordance with standards that would be costly to implement and may not be compatible with the core values we teach.

Currently, all non-public schools must be approved, and some are accredited. A mandate of standards would not be beneficial to our schools that already adopt their own curricula to meet certain standards imposed by the state.

I urge a DO NOT PASS recommendation. If you have any questions, I will be happy to try to answer them. THANK YOU FOR YOUR TIME AND CONSIDERATION.

Written Testimony Presented to the Senate Education Committee
(of the 57th Legislative Assembly / on January 24, 2001)
Concerning Senate Bill 2149

by
William M. Schuh
Private Citizen

Chairman Freborg and honorable members of the Senate Education Committee.
I ask you to recommend a do not pass vote on Senate Bill 2149.

Analysis of Content

Under SB 2149, SECTION 1 and SECTION 5 all public and nonpublic schools are required to adopt content standards established by the Superintendent of Public Instruction for Grade 4, 8, and 12 mathematics, English, language arts, science and social studies by 2001-2002., and content standards for health and physical education by the 2002-3 school year (SECTION 3), as a criterion of approval. **School Districts must comply on schedule or face loss of approval.**

This bill is heavy handed in mandating not only disaccreditation, but withdrawal of approval and will result in unnecessary micromanagement and possibly loss of local control over some public and private schools that are currently providing fine education for their students.

Some Concerns Are:

1. SB 2149 enables micromanagement of the district, right down to the classroom
This bill departs from previous department authority and practice to enforce a broad curriculum framework and substitutes a rigid and detailed set of "standards". It offers little flexibility for board or teacher adaptation to local needs and the educational goals of local communities.

2. There are no pressing problems in North Dakota primary and secondary education that will be solved by enforcement of these standards.

(a) North Dakota's schools have, and have always had content standards. These have been promulgated by teaching societies, such as the American Council of Teachers of Mathematics (SEE NCTM APPENDUM) and others, and by accrediting bodies like North Central Accreditation. Standards have been embedded within the very structure of most text books.

(b) North Dakotas school districts are not failing in their mission to teach. They are successful on both a national and international scale. They are also reasonably uniform within the state. **See the attached summary sheet "EDUCATIONAL CULTURE OF NORTH DAKOTA"** . Disempowerment of local districts is not warranted.

3. The option of "alternative standards" offered to the districts in SECTION 4 is unclear. Alternative standards must be "equally or more rigorous" than the proposed standards. What does "more rigorous" mean? More of the same? The interpretation is entirely in the hands of the Superintendent. In some cases, particularly the English standards, standards have been criticized as inadequately stressing literacy in favor of pop culture and media studies. What if a school wishes to adopt some courses based on great literature? The national History Standards have been criticized as anti-western. Would this have to be followed? If you cannot adopt other "content", there is really little flexibility at the local level. There is no guarantee that federal or state determined content is always best.

4. Does the requirement in SECTION 2 that the Superintendent "revise the standards every five years" oblige the districts to follow a similar schedule?

(a) Legitimate content of math, science, history, English, etc. does not change that fast. Textbooks are usually changed on a seven to ten year cycle. How will the two-year time limit affect textbook and material attrition schedules? Compliance with this could be very expensive.

(b) Excessively tight review schedules would drain local teacher and administrative resources. The focus becomes one of meeting state requirements rather than the educational needs of the students in the classrooms. The top on down focus is wasteful and inappropriate.

5. Standards that may be acceptable now, may be laced with fads or nonsense in five or ten years. The standards are an ongoing process. Already the education reform movement has been rife with fads, including excessive use of group oriented techniques, group grading, portfolios, and inappropriate invasions of the emotional and affective domains of students and families. Many failed experiments have been promulgated by states and eventually rejected by local boards. There is a need to maintain room for parent, teacher, administrative, and board leverage. **We need a fire wall on the local level.**

6. The proposed content standards are top on down. A federally controlled and constantly altered enforcement of course content may later become a centrally controlled enforcement of political correctness. At worst, it could some day degenerate into a system of propaganda. Again, we need the fire wall on both a state and local level. **There must be a balance of authority.**

7. SB 2149 represents a coercive enforcement of the National Goals and Standards under the Goals 2000 Educate America Act. Under NDCC 15-29-08.5 North Dakota school district participation in all facets of the Goals 2000 Educate America Act is to "Voluntary", and that means free from coercion. Clearly, coercion under threat of removal of APPROVAL; that is the dismantling of the school's authority to teach, is not voluntary.

8. "Approval" criterion includes both public and private schools. It leaves no room for alternative philosophies or methods of education, and will destroy any true parental choice. The very mission of private schools must include some control over course content.

9. Such rigid requirements for approval make one wonder what will be required for accreditation?

Let the Superintendent of Public Instruction adopt and promulgate the standards as voluntary guidelines for curriculum development. Let the Superintendent assist districts in adopting them when needed. But leave the power to make reasonable adjustments in the hands of local districts. Leave the final approval of content to local parents, teachers, administrators or boards.

EDUCATIONAL CULTURE IN NORTH DAKOTA: SUMMARY PROFILE OF HIGH ACHIEVEMENT

I. MOST RECENT INDICATORS, BASED ON 1996-7 STATISTICS OF THE NATIONAL EDUCATION GOALS PANEL.

ADULT LITERACY

Graduation Rate: tied for the highest percentage (95%) of 18- to 24-year olds with a high school credential. (NEGP p 29)

Adult Literacy: North Dakota is tied for 2nd (with New York) in the percentage (71%) of high school graduates who enroll in 2-year or 4-year postgraduate programs. (NEGP p 55)

Adult Literacy: North Dakota is number 1 in voter registration and number 5 in voting percentage. (NEGP p53 and 54)

STUDENT ACHIEVEMENT

Mathematics: number 2 in percentage of public school 8th graders scored at above Proficient. (NEGP p35)

Science: tied for number 1 in 8th grade science proficiency with Montana and Maine (41%), compared with U.S. average of 29%. (NEGP p36)

International Mathematics Achievement: one of 7 states that would be expected to score in the top 35 out of 40 nations in 8th grade mathematics. Only Belgium, Czech Republic, Hong Kong, Japan, Korea, and Singapore would be expected to outperform these seven states. (NEGP p43)

International Science Achievement: one of 15 states that would be expected to score in the top 40 out of 41 nations in 8th grade science. Only Singapore would be expected to outperform these states. (NEGP p44)

Advanced Placement: listed as "improved" in the number students achieving 3 or above (out of 5) on Advanced Placement tests. (NEGP p37)

TEACHER QUALIFICATIONS

Teacher Preparation: the most teachers with undergraduate or graduate degrees in their main teaching assignments. (NEGP p38)

Teacher Education: the highest percentage of public secondary school teachers who hold a teaching certificate in their main teaching assignment. (NEGP p39)

SCHOOL SAFETY

School Safety: the lowest rate of teacher victimization. (NEGP p63)

School Safety: tied for least teacher complaints of student disruption of classes. (NEGP p64)

PARENTAL INVOLVEMENT

Parental Involvement: the lowest level of expressed teacher concern and principal concern over lack of parental involvement. (NEGP p 65)

II. 1996 INDICATORS, BASED ON 1991 STATISTICS OF THE U.S. DEPARTMENT OF EDUCATION STATISTICS SERVICE.

Class Size: eight lowest in average grade 8 class size. (USDE p 1996)

High School Completion: second of all states (after MN) on percent of 25 to 34 year olds having attained at least secondary school education. (93%). 87% if those from 35 to 64 hold high school degrees.

Age 25 to 34 - 22% had university degrees.

Age 35 to 64 - 21% had university degrees.

Age 22 - 51% are graduating from a university (1991)

International Mathematics Achievement: number 3 in the world, after Taiwan and Iowa, just ahead of Korea and Minnesota . (USDE p 24-25)

New Scientists and Engineers: number graduates per 100 persons 22 years old. Second after South Dakota, ahead of all nations, and double the national average . (USDE p 179)

III. WITHIN-STATE INDICATORS, BASED ON STUDIES OF COLLEGE ENROLLMENT AND COMPLETION BY MICHAEL HOVE.

Almost all of the variability of College enrollments (95%) and successful degree completion (92%) can be accounted for population. This means that there is almost no difference between counties. Similar percentages apply to honors graduates. **The opportunity to obtain a an education sufficient to enroll in college, successfully complete a degree, and to achieve honors status is quite uniform within North Dakota.** (Hove, pp 53-56)

IV. INTERNATIONAL INDICATORS BASED ON THE SANDIA NATIONAL LABORATORIES REPORT.

College Degrees: U.S. has the highest percentage of 22-year olds with a bachelors degree.

Technical Degrees: U.S. has the highest percentage of degrees in science and engineering over the last 20 years (preceding 1993).

SAT Scores: When comparing the same demographic groups tested in 1975, SAT scores have risen. Apparent dip is caused by a change in demographic - larger numbers of lower students entering colleges.

V. CITATIONS

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[NCTM > Standards >](#)

Introducing the Standards

NCTM is pleased to announce the release of *Principles and Standards for School Mathematics*, its updated volume of Standards. With more than 400 content-packed pages, it delineates six Principles that should guide school mathematics programs and 10 Standards that propose content and process goals. The book features full-color photos and artwork and includes a coupon for a complimentary CD-ROM with the fully searchable *E-Standards*, the electronic edition of the book.

Principles and Standards extends the vision of NCTM's original *Standards* documents and offers a rich resource to those trying to change mathematics education for the better. "This is great stuff," says Paul Shalonis, a high school teacher from Alexandria, Va., who reviewed the document in its final phase. "It's very inspiring but also thought-provoking. I could spend a long time thinking about each of the points made."

The book reflects a decade of learning experiences and three years of highly intense work. Says NCTM President Glenda Lappan, "We have done everything we knew to do to ensure that this is a high-quality document that will provide guidance and inspiration to the field. Our thanks to the writers, NCTM staff, and others whose hard work has made this possible." Many individuals and groups have praised the open and careful process of creating the document. For instance, leaders of the mathematical sciences



Technology is essential in teaching and learning mathematics all across the grades but should not be used as a replacement for basic understanding.

societies that served as Association Review Groups, advising on the creation of the document, recently sent a letter that said, "It was a remarkable and unprecedented process that produced some of the most thoughtful and disciplined discussions of mathematics curriculum and instruction that we have seen in these professional communities."

Principles and Standards offers vision and direction for school mathematics programs. The Principles set forth important characteristics of mathematics programs, and the Standards discuss the mathematics that students need to know and be able to do across the grades. The grade-band chapters (pre-K-2, 3-5, 6-8, 9-12) provide both specific expectations for those grades and a plethora of engaging examples to bring those ideas to life. The introductory and final chapters describe the broader vision of the document, introducing that vision and then setting forth how we need to work together to attain that vision.

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NCA Criteria for Separate, Initial Accreditation

The North Central Association of Colleges and Schools (NCA), a not-for-profit, voluntary membership organization, is committed to developing and maintaining high standards of excellence in education through evaluation and accreditation. The Association, one of six regional institutional accrediting associations in the United States, accredits educational institutions in the North Central region. The Association has developed certain criteria that colleges must meet in order to be granted initial accreditation. Estrella Mountain has organized work teams to address these criteria.

Criterion One - The institution has clear and publicly stated purposes consistent with its mission and appropriate to an institution of higher education.

Criterion Two - The institution has effectively organized the human, financial and physical resources necessary to accomplish its purposes.

Criterion Three - The institution is accomplishing its educational and other purposes.

Criterion Four - The institution can continue to accomplish its purposes and strengthen its educational effectiveness.

Criterion Five - The institution demonstrates integrity in its practices and relationships.

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