

MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION

SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

2251

2001 SENATE EDUCATION

SB 2251

2001 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2251

Senate Education Committee

Conference Committee

Hearing Date 01-30-01

Tape Number	Side A	Side B	Meter #
1		x	5.4 - end
2	x		0 - 9.4
2 (02-05-01)	X		29.0 - 42.0
Committee Clerk Signature <i>Sandra Johnson</i>			

Minutes: CHAIRMAN FREBORG called the hearing on SB 2251.

Testimony in support of SB 2251:

SENATOR LARRY ROBINSON, District 24, serves on the interim Information Technology Committee (ITC) as Chairman. In the Legislative Council booklet that captures the activity of all the interim committees, there is no reference in the ITC summary to SB 2251. It became apparent to the members of ITC the need to bring together the issue of technology as it relates to public education, K - 12, across the state. There are a number of boards and board members working with technology now with good intentions of working together for the good of educating our young people. However, there is not as much cooperation, coordination, collaboration, streamlining, focus that one can obtain in the process of bringing these boards together under one board, which is what is being proposed in this bill. This effort is being driven by all the member groups. This bill is an effort to improve upon the technology we already have. There is a concern by DPI on the inclusion of the Division on Independent Study in this

proposal. He stated this is not an attempt to be negative toward DPI. They need to work together and join hands in improving the technology in our schools.

JOHN BJORNSON, Legislative Council, explained the parts of the bill to the committee. This bill creates a new board or council in state government called the Educational Technology Council (ETC). This replaces the existing Telecommunications Council. The ETC will have certain powers similar to the ITC with some additional directives.

Section 1 of the bill transfers administration of Division of Independent Study (DIS) from Superintendent of Public Instruction to the new ETC. It also states the ETC shall hire a state director of the Division of Independent Study.

Section 2 of the bill also deals with current provisions related to the DIS dealing with special funds, and transfers duties from Supt. Of Public Instr. to the Technology Director of the new ETC.

Section 3 takes out reference to the division of independent study because the administration of that division is being transferred to the ETC.

Section 4 of the bill states the ETC is not considered an administrative agency for the purpose of adopting rules.

Section 5 amends an existing section of law removing the ETC from it in which it states the names of boards where appointments have been made by the governor which are resolved when there is a new governor.

Section 6 sets up the new Council and sets up provisions for them.

Section 7 lists powers and duties of the new ETC. Subsection 8 sets the Director of the Division of Independent Study as a classified position.

Section 8 repeals current ITC.

ROBERT POPE, Nexus Innovations, explained their involvement in the development of and the process of arriving at SB 2251 and the forming of the new ETC . (see attached). SENATOR CHRISTENSON asked how this is going to directly affect the classroom and the students. Mr. Pope replied it will make the coordinating to the classroom as effective and efficient as possible. CURT WOLFE, chief information officer for the state of ND, stated his office has been given the responsibility to coordinate major technology initiatives across the state for the course of the last 14 - 15 months. Worked closely with the information officer in DPI on a number of issues that related to education and other initiatives. When he looked at K - 12, he found there was no central direction given as to how technology is addressed. He feels the composition of the board is correct and will give him someone to work with at the K - 12 level to help drive technology down to the classrooms.

JERRY BARTHOLOMEW, member and chair of NDETC, spoke in support of the bill. (see attached). He feels this will benefit small schools and large schools as to their individual needs.

TONY WEILER, State Assn. For Non-Public Schools, presented testimony in support of the bill. (see attached). He would like to have SANS represented on the board.

DAN PULLEN, Director Center for Innovation in Instruction, presented testimony. (see attached). He also presented the position statement of the CII Board. (see attached).

JODY FRENCH, SENDIT Technology Serv., presented testimony in support of the bill (see attached).

LISA FELDNER, Chairman SENDIT Technology Serv. Board, presented a position statement from SENDIT. (see attached).

DARRIN KING, President of ND Assn. of Technology Leaders, feels structure would help focus efforts, give leadership at the state level and bring the technology to the local level.

BEV NIELSON, ND School Boards Assn., supports the concept contained in the bill.

PAT DONAHUE, Dakota Science Center, Project Director of the Nature Shift Technology Innovation Challenge Grant, supports concept to bring all constituents together and bringing technology to the students at their classroom level.

Testimony in opposition to SB 2251:

DR. WAYNE SANSTEAD, State Supt. for DPI, stated DPI's opposition to this bill. (see attached). He urges amending out the portions of Section 1, 2, 3 which removes the administration of the Division of Independent Study from the state superintendent and the state education agency. He feels this is unwise.

NEIL HOWE, Director of the Division of Independent Study, testified. (see attached).

SENATOR O'CONNELL, asked Mr. Howe how much input the department had in the study leading to this bill. MR. HOWE stated he was involved in some early discussions. Did not feel the department was involved. DR. SANSTEAD stated the concern of the department is that they were not involved in the discussions. Stated they had one informational session with Mr. Pope, and at that time there was no indication that this move would take place under the direction of the new technology organization in state government. The department was surprised with the administrative role change. He feels the bill is flawed in that the technology director would be responsible to two directors (Director of Division of Independent Study, and the DPI). He feels no advantage to changing the administrative organizations. He feels in the future, the expansion of this whole arena at the Federal level will focus on the state education.

There being no further testimony the hearing was closed.

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Senate Education Committee
Bill/Resolution Number SB 2251
Hearing Date 01-30-01

02-05-01, Tape 2, Side A, 29.0 - 42.0

CHAIRMAN FREBORG presented an amendment to the committee. SENATOR CHRISTENSON feels the amendment is good in that it puts the Superintendent of Public Instruction back in the loop in a very positive way. SENATOR FLAKOLL feels it helps redefine when a change occurs in shifting from one end to the other, who is going to be taking responsibility for various things. Discussion on the amendment. This bill transfers the Division of Independent Studies to the ETC. It also sets up a new makeup of the Board and it spells out the Powers and Duties thereof.

SENATOR COOK moved to adopt the amendment. Seconded by SENATOR CHRISTENSON.

ROLL CALL VOTE: 7 YES. 0 NO. 0 Absent. Amendment adopted.

SENATOR FLAKOLL moved a DO PASS as AMENDED. Seconded by SENATOR CHRISTENSON. Discussion on the bill and the funds involved. There is no fiscal impact on state funds. The funds are diverted to a different source, therefore the bill does not need to go to Appropriations.

ROLL CALL VOTE: 6 YES. 1 NO. 0 ABSENT. MOTION CARRIED.

CARRIER: SENATOR CHRISTENSON

FISCAL NOTE
 Requested by Legislative Council
 03/19/2001

REVISION

Bill/Resolution No.: SB 2251

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	\$0	\$0	\$0
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	\$0	\$0	\$0	\$0

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

SB 2251 transfers any funds appropriated by the Fifty-Seventh Legislative Assembly to or for the purposes of the Division of Independent Study, SENDIT technology services, and the Center for Innovation in Instruction to the Information Technology Department for use by the Educational Technology Council.

The Executive Budget Recommendation for Department (201) Public Instruction Includes:

Division of Independent Study: \$5,521,166

General Fund \$ 795,416

Federal Funds \$ 405,878*

Special Funds \$4,319,872**

*Only \$400,000 in federal funds is available for the 2001-03 biennium.

**The Office of Management and Budget (OMB) decreased Operating Expense by

\$27,500. The correction made by OMB increases Special Funds to \$4,347,372.

The \$400,000 in federal funds is for administration and grants to schools for the Partners in Character Education grant. Under federal law, the responsibility for the Partners in Character Education grant must remain with DPI.

For the 2001-03 biennium, \$115,285 is allocated for 1.05 FTE salaries and wages and \$4,715 is allocated for operating expenses. The remaining \$280,000 is for grants to schools.

Administration of the grant involves a project coordinator (.35 FTE), a clearinghouse director

who is responsible for distribution of resources to partner schools (.35 FTE), and a part-time secretary (.35 FTE). The clearinghouse director and secretary are .35 FTE Character Education and the remaining .65 FTE for these two employees is assigned to Division of Independent Study activities.

The Division of Independent Study physically houses four DPI outreach employees: one Special Education, 2 Early Childhood Tracking, and 1 School for the Deaf. Since the Division is a unit of the DPI, a nominal rental fee is currently charged to Special Education and Early Childhood for space occupied in the building. The School for the Deaf pays no rental fee for its employee. All four outreach employees receive mailing, printing, some technology support, and other miscellaneous services at no direct cost to these individual programs.

The Executive Budget Recommendation transferred the SENDIT funding from Department (201) Public Instruction to the Information Technology Department.

Information Technology Department has reviewed this fiscal note and recommends 1 FTE be added for the Director position of the proposed ETC (Education Technology Committee). Funding for

this position can come from the \$2,200,000 requested in the ETC funding in ITD's budget.

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.*

1 position needs to be created for the Director of the Education Technology Committee (ETC) as described in the narrative above. The funding for this position will be taken out of the \$2,200,000 requested for the ETC in ITD's budget.

- 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:	Mike J. Ressler	Agency:	ITD
Phone Number:	328-3190	Date Prepared:	03/19/2001

