

2021 HOUSE EDUCATION

HB 1075

2021 HOUSE STANDING COMMITTEE MINUTES

Education Committee
Coteau AB Room, State Capitol

HB 1075

1/6/2021

Relating to student extracurricular activities held on teacher professional development conference days

1:00 PM

Chairman Owens opened the meeting on HB 1075. **Roll Call:** Reps. Owen, Schreiber-Beck, Heinert, D. Johnson, M. Johnson, Longmuir, Marschall, Pyle, Richter, Simons, Zubke, Guggisberg, Hager, Hoverson were present.

Discussion Topics:

- Flexibility of professional development training
- Student extracurricular activities
- Advance educational leadership skills

Dr. Aimee Copas, NDCEL, Testimony #87, Testimony #88, Testimony #89 (1:02)

Rep. Dockter presented the bill as sponsor (1:13)

Kirsten Baesler, Superintendent of Public Instruction, Testimony #514 (1:20)

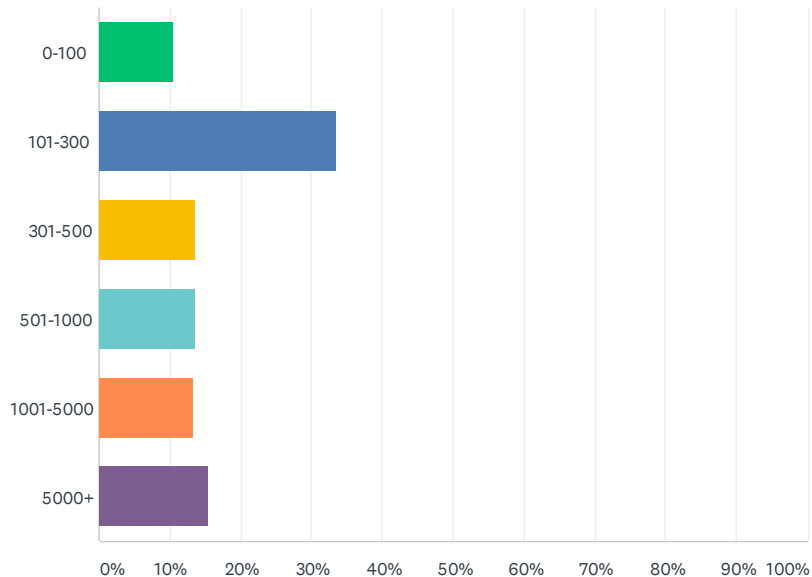
Jeff Fastnacht, Asst. Superintendent of Mandan Public Schools and President of NDCEL, Testimony #71 (1:36)

1:47 PM Hearing Closed.

Bev Monroe, Committee Clerk

Q1 Please share your district size based on school enrollment

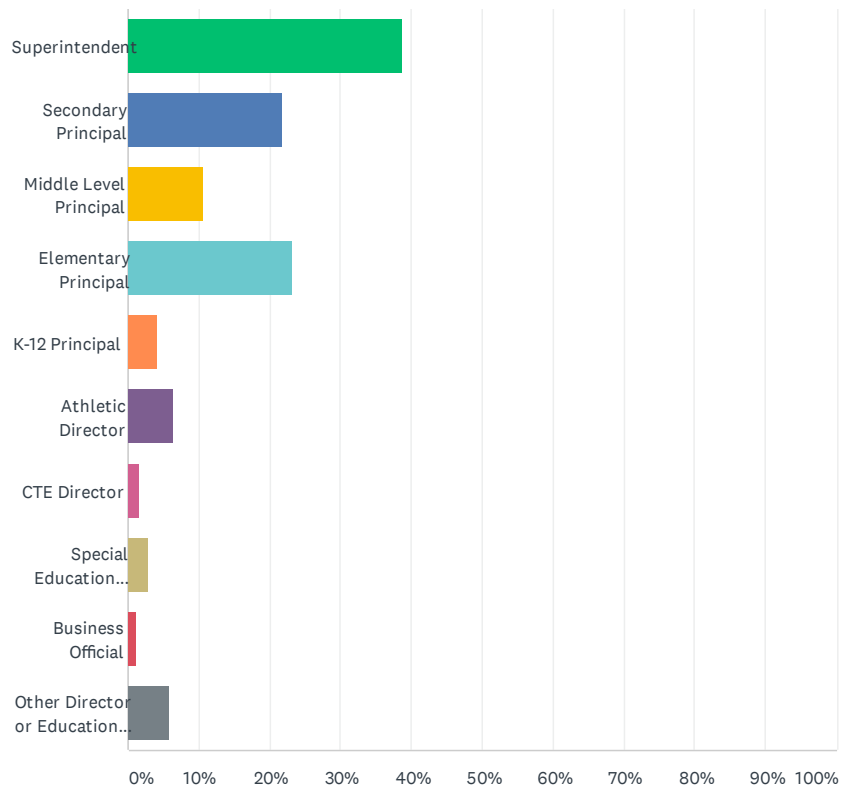
Answered: 308 Skipped: 0



ANSWER CHOICES	RESPONSES	
0-100	10.39%	32
101-300	33.44%	103
301-500	13.64%	42
501-1000	13.64%	42
1001-5000	13.31%	41
5000+	15.58%	48
TOTAL		308

Q2 Please share your position within your school district. (Select all that apply to you to account for those of you with multiple roles)

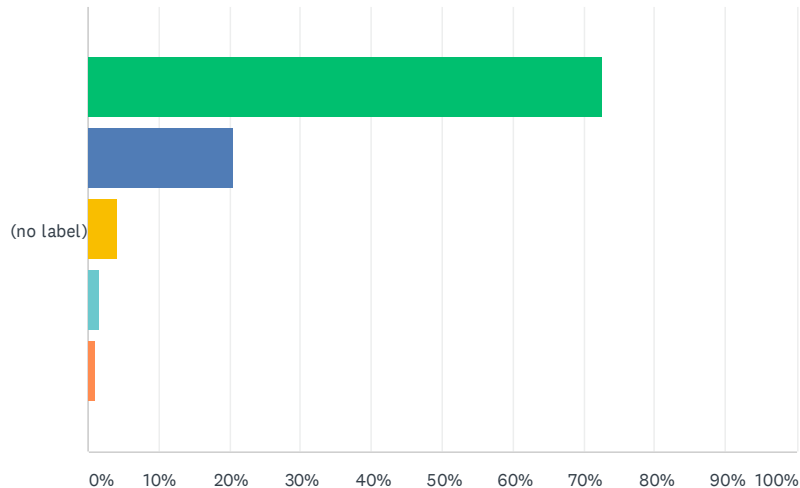
Answered: 307 Skipped: 1



ANSWER CHOICES	RESPONSES	
Superintendent	38.76%	119
Secondary Principal	21.82%	67
Middle Level Principal	10.75%	33
Elementary Principal	23.13%	71
K-12 Principal	4.23%	13
Athletic Director	6.51%	20
CTE Director	1.63%	5
Special Education Director	2.93%	9
Business Official	1.30%	4
Other Director or Educational Leader	5.86%	18
Total Respondents: 307		

Q3 Please share your belief regarding the usefulness in keeping of the 2 days in the fall for the professional development conference held as no-school days to provide the opportunity for all teachers, instructional staff, directors and administrators from all districts regardless of size can attend.

Answered: 307 Skipped: 1

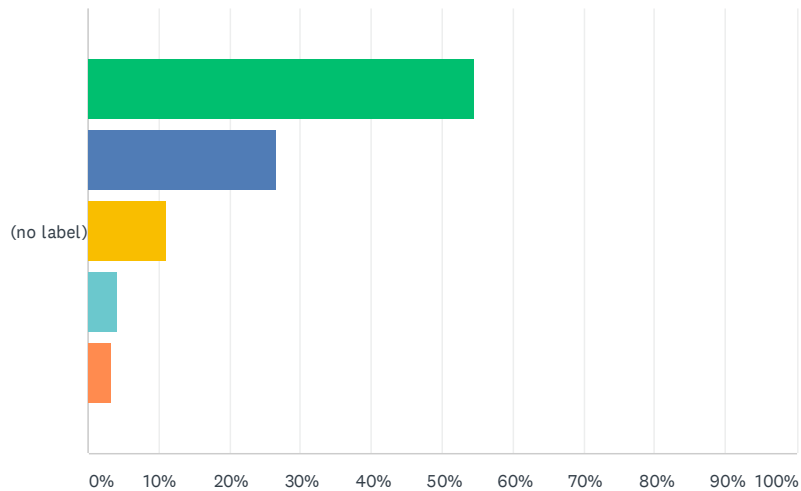


- Strongly Agree - the 2 days are useful for the conference/PD
- Agree - the 2 days are useful for the conference/PD
- Neither agree or disagree that the 2 days are useful for the conference/PD
- Disagree that the 2 days are useful for the conference/PD
- Strongly Disagree that the 2 days are useful for the conference/PD

	STRONGLY AGREE - THE 2 DAYS ARE USEFUL FOR THE CONFERENCE/PD	AGREE - THE 2 DAYS ARE USEFUL FOR THE CONFERENCE/PD	NEITHER AGREE OR DISAGREE THAT THE 2 DAYS ARE USEFUL FOR THE CONFERENCE/PD	DISAGREE THAT THE 2 DAYS ARE USEFUL FOR THE CONFERENCE/PD	STRONGLY DISAGREE THAT THE 2 DAYS ARE USEFUL FOR THE CONFERENCE/PD	TOTAL	WEIGHTED AVERAGE
(no label)	72.64% 223	20.52% 63	4.23% 13	1.63% 5	0.98% 3	307	1.38

Q4 Please share your belief regarding the usefulness of KEEPING the 2 days for the PD Conference for all administrators and all instructional staff AND provide the option to have Friday evening extracurricular activities.

Answered: 304 Skipped: 4

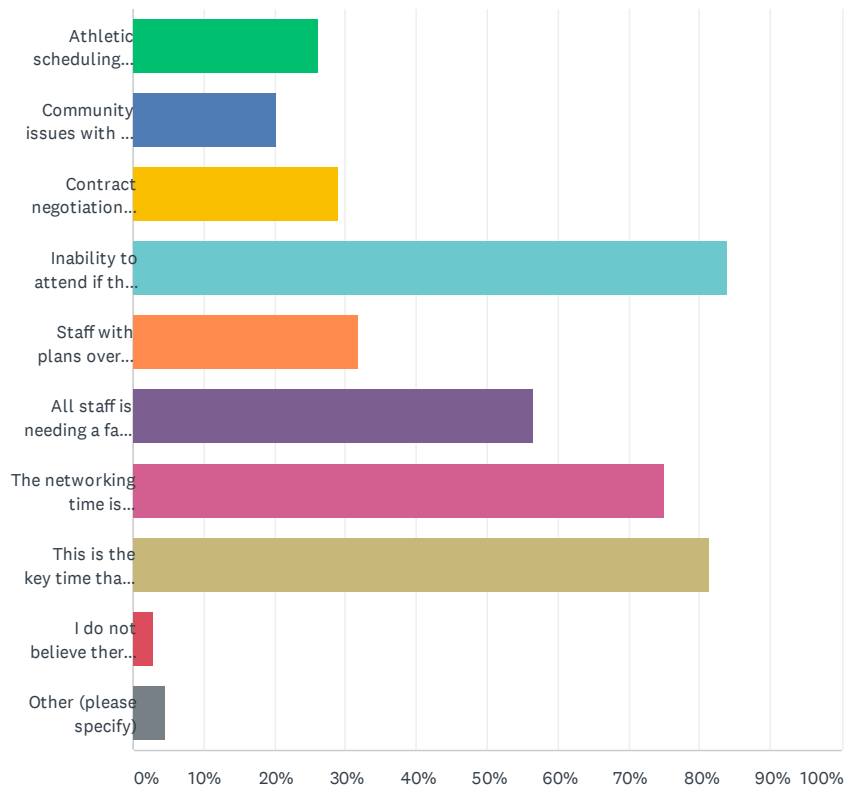


- Strongly Agree to hold the days but allow the option to have Friday evening extracurriculars.
- Agree to hold the days but allow the option to have Friday evening extracurriculars.
- Neither agree or disagree regarding extracurricular activities.
- Disagree to hold the days but allow the option to have Friday evening extracurriculars.
- Strongly Disagree to hold the days but allow the option to have Friday evening extracurriculars.

	STRONGLY AGREE TO HOLD THE DAYS BUT ALLOW THE OPTION TO HAVE FRIDAY EVENING EXTRACURRICULARS.	AGREE TO HOLD THE DAYS BUT ALLOW THE OPTION TO HAVE FRIDAY EVENING EXTRACURRICULARS.	NEITHER AGREE OR DISAGREE REGARDING EXTRACURRICULAR ACTIVITIES.	DISAGREE TO HOLD THE DAYS BUT ALLOW THE OPTION TO HAVE FRIDAY EVENING EXTRACURRICULARS.	STRONGLY DISAGREE TO HOLD THE DAYS BUT ALLOW THE OPTION TO HAVE FRIDAY EVENING EXTRACURRICULARS.	TOTAL
(no label)	54.61% 166	26.64% 81	11.18% 34	4.28% 13	3.29% 10	304

Q5 Please share challenges if the days are NOT held by law as no-school days (select all that apply)

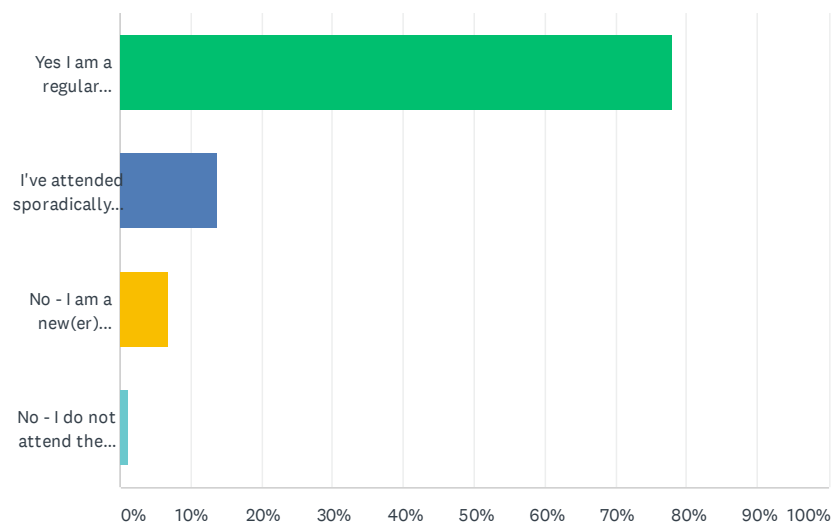
Answered: 306 Skipped: 2



ANSWER CHOICES	RESPONSES	
Athletic scheduling issues	26.14%	80
Community issues with the days on the calendar	20.26%	62
Contract negotiation issues	29.08%	89
Inability to attend if there is school as admin and teachers struggle to be out of the building.	83.99%	257
Staff with plans over these days	31.70%	97
All staff is needing a fall break by this time (doing it as a state helps alleviate issues with scheduling, parents, and other conflicts)	56.54%	173
The networking time is critical - the loss of this is damaging to the profession.	75.16%	230
This is the key time that leaders in the state can be trained - having school as an option makes it difficult to attend.	81.37%	249
I do not believe there are challenges	2.94%	9
Other (please specify)	4.58%	14
Total Respondents: 306		

Q6 Please share whether you have attended a NDCEL Fall Conference in the past.

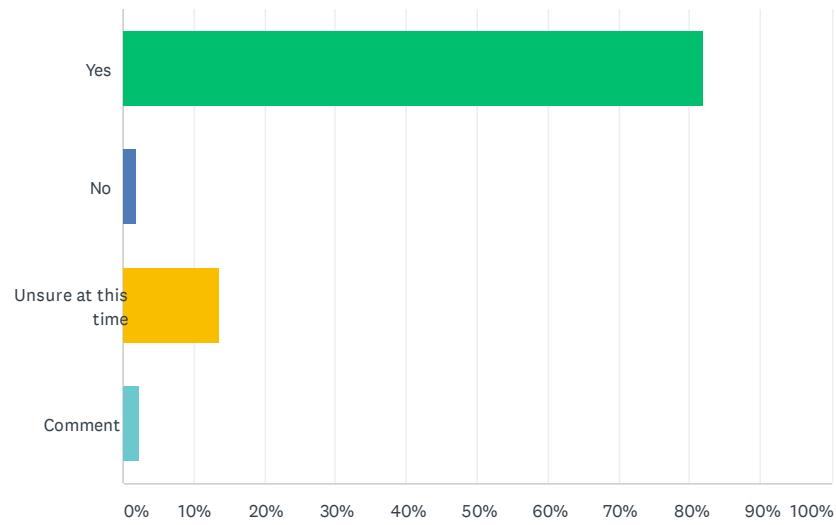
Answered: 305 Skipped: 3



ANSWER CHOICES	RESPONSES	
Yes I am a regular attendee	78.03%	238
I've attended sporadically in the past	13.77%	42
No - I am a new(er) administrator (or new(er) to North Dakota	6.89%	21
No - I do not attend the NDCEL Fall Conference	1.31%	4
TOTAL		305

Q7 I plan to attend the NDCEL Fall Conference in Bismarck on October 21-22, 2021

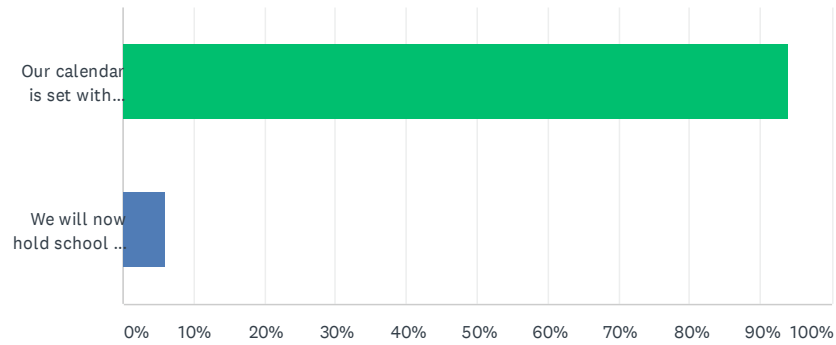
Answered: 307 Skipped: 1



ANSWER CHOICES	RESPONSES	
Yes	82.08%	252
No	1.95%	6
Unsure at this time	13.68%	42
Comment	2.28%	7
TOTAL		307

Q8 Please share your district calendar plans for 2021

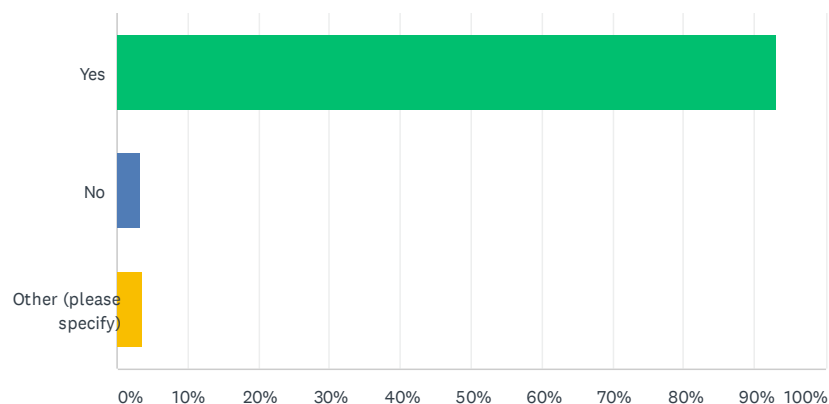
Answered: 276 Skipped: 32



ANSWER CHOICES	RESPONSES	
Our calendar is set with October 21-22, 2021 as no-school days.	93.84%	259
We will now hold school on October 21-22, 2021	6.16%	17
TOTAL		276

Q9 I believe NDCEL should work with NDHSAA and other partners to ensure that these days are held as no-school days in the future.

Answered: 307 Skipped: 1



ANSWER CHOICES	RESPONSES	
Yes	93.16%	286
No	3.26%	10
Other (please specify)	3.58%	11
TOTAL		307

Suggested Amendment to HB 1075 – Teacher/Admin/Director Conference Days

Sixty-seventh Legislative Assembly of North Dakota

Introduced by Representative Dockter – Suggested amendment by NDCEL

A BILL for an Act to amend and reenact section 15.1-06-04.1 of the North Dakota Century Code, relating to student extracurricular activities held on teacher professional development conference days.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 15.1-06-04.1 of the North Dakota Century Code is amended and reenacted as follows:

15.1-06-04.1. School district calendar - Limitation.

1. A school district may not schedule ~~school-sponsored, school-directed, or school-related activities, including~~ instructional time, during the third Thursday and Friday of October that any day that the superintendent of public instruction declares is in conflict with a professional development conference directed toward all teachers or all administrators and hosted by an educational organization in this state.
2. The declaration permitted by subsection 1 is limited to two days during a school year.



1/6/2020 - HB 1075 – Student Extracurricular Activities held on Teacher/Admin professional development days. NDCEL Testimony in support with potential amendment.

Good afternoon Chairman Owens and members of the House Education Committee. My name is Dr. Aimee Copas and I am here today representing NDCEL which serves all educational leaders in schools with the exception of school boards and teachers.

Today we are discussing the Fall Convention for Teachers and Administrators. I'm here today to provide you with some historical context as well as valuable data that both supports the bill and that may support a suggested amendment to assure the opportunity to develop our school leaders and instructional staff each year.

These two days have been held as no-school days for over 40 years. For many decades, there were two separate conferences – one held for teachers, one for administrators, however both were held on the same two days of the year (the third Thursday and Friday in October). Over time the state has transitioned between whether the time spent in PD would be required, paid for or not, etc. It seems that from a “requirement” standpoint that the past decade has been handled well in that there is no-school that day to provide the opportunity, but schools were not required to pay their teachers to attend. In more recent years, NDUnited discontinued hosting the conference. For many years, the week before the conference week, NDDPI would host what was called the Title I conference. Upon the discontinuation of the NDUnited Teacher Conference, NDDPI expanded their offering to make it more relevant to more teachers. For the past 6+ years, the field continually asked for NDCEL to work with NDDPI to merge the two conferences and have them both held on the two days of no-school as the substitute teacher issue that existed to have teachers attend the NDDPI Educator conference the week before as well as expenses was a burden to districts.

As a response to the field, NDCEL did just that and requested that NDDPI partner. NDDPI was gracious in working with NDCEL and handed over the conference to them as conference planning was a large burden on their staff as well. Hence, in 2020, NDCEL hosted the first ever Fall Conference for *All Educators* – targeted at all instructional staff from Para-Educators to Superintendents and all staff in-between. All educational parties interested were invited to help design the conference to provide an assurance of quality for all attendees. Albeit that it was an odd year and a bit of a challenge since it needed to be remote due to COVID, it was hugely successful with over 3000 registrants. Live attendees over the two days of no-school were up to 1000 people and others have been continually utilizing content and are able to do so through April. Many districts registered their entire instructional staff. To date we can account for over 25,000 hours of training that our educators have participated in.

NDCEL is the strongest unifying voice representing and supporting administrators and educational leaders in pursuit of quality education for all students in North Dakota.

Executive Director: Aimee Copas-----Assistant Director: Russ Ziegler



Now let's talk about the future.

In 2021 NDCEL has the Bismarck Event Center contracted to bring us back together live once again. There will be incredibly valuable and dynamic professional development and networking opportunities that only happen at the Fall Conference. We anticipate recorded *breakout sessions* to be available **after** the conference for expanded PD offerings for districts as it provides an ongoing opportunity for educators to self-direct their growth. Keynotes will **NOT** be recorded however based on their contract requirements and *may* be livestreamed (if allowed by speaker) on the two days of the conference for those attendees that may wish to attend remotely and have access to the training for the entire year. This option provides districts huge PD flexibility later in the year and the ability to tailor their development all year long while saving dollars.

The chief complaint that I've received over the years, and that NDHSAA has also heard is that there should be flexibility to host extracurricular activities on Friday afternoon after the conclusion of the conference – that is the crux of this bill offered by Rep. Dockter. Further-more just before Christmas the decision was made by the state superintendent to NOT declare those two days held by school districts as non-school days. My phone and email has been non-stop with schools that are concerned about this decision. This prompted my office to conduct a survey and find out what the desires of our schools are. On Monday of this week, in a 9 question survey with over 300 respondents, we asked about the participants school size, their position in the school, and based on a research driven Likert scale the degree to which they found the Fall Conference days useful, whether there should be extra-curriculars held on Friday, the challenges posed by not holding those days as no-school days statewide, whether or not the respondent attends the fall conference, and whether their school calendar plans have changed. Finally, we asked whether we should partner with NDHSAA, and other partners such as our legislators to ensure these two days are held as no-school days moving forward.

The only way our administrators and teachers can attend in a significant way (especially in smaller districts) is if there is not school. In 2015, when legislators questioned the value of the 2 days held, the law was amended to reflect its current verbiage. However, the educational leaders are asking now for a stronger assurance that this will not potentially adjust each year.

This brings me to our requested amendment. Based on the survey data, the districts are indicating that having this anchored in law would be beneficial. This will also alleviate NDDPI the annual burden of having to spend the time doing the applications, declaring the day, and doing press releases annually regarding the declaration of the days.

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Executive Director: Aimee Copas-----Assistant Director: Russ Ziegler



We'd humbly request the consideration of the following amendment which includes Rep. Docktor's language and request and goes further to have the ND Legislature hold the days moving forward that have been historically for this purpose:

15.1-06-04.1. School district calendar - Limitation.

1. A school district may not schedule ~~school-sponsored, school-directed, or school-related activities, including~~ instructional time, during the third Thursday and Friday of October that any day that the superintendent of public instruction declares is in conflict with a professional development conference directed toward all teachers or all administrators and hosted by an educational organization in this state.

2. The declaration permitted by subsection 1 is limited to two days during a school year.

Kirsten Baesler
State Superintendent

Dr. Donna Fishbeck
Chief of Staff

Laurie Matzke
Assistant 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
<http://www.nd.gov/dpi>

For Immediate Release

Contact: Dale Wetzel, Public Information Specialist
Office 701-328-2247
Cell: 701-400-8557
Email: dewetzel@nd.gov

Baesler Provides Flexibility For Professional Development Training

BISMARCK, N.D., Dec. 17, 2020 – State School Superintendent Kirsten Baesler said she will not require North Dakota schools to close for two days during the 2021-22 school year, which she said will give school districts more options in planning their upcoming school year.

“Local school boards have long been granted broad discretion in setting their school calendars,” Baesler said. “Given the current public health crisis, this discretion has proven to be even more important than ever. Additionally, the pandemic has spurred creative ways to deliver professional development enabling all educators to participate remotely from locations across North Dakota. “

On October 14, 2020, the North Dakota Council of Educational Leaders (NDCEL) requested October 20-22, 2021, be designated as days a school district may not schedule school-sponsored, school-directed, or school-related activities, including instruction time.

“After giving the matter the utmost consideration, I am declining to exercise the authority to declare any days in conflict of a professional development conference under NDCC § 15.1-06-04.1. This decision will give our school districts added flexibility in developing their 2021-22 school calendars during these unprecedented times,” Baesler said.

School districts continue to have the option of creating their calendars to allow their teachers or administrators to attend the NDCEL Fall Conference for professional development days, but for the forthcoming school year NDCC § 15.1-06-04.1 will not be exercised to prohibit school districts from scheduling, sponsoring, or directing other school activities or instructional time during those conference days.

“This potential for calendaring instruction and school activities on these days has been made all the more workable because NDCEL’s Fall Conference, like so many conferences, is now being provided with a virtual option in October 2021 with a broad window of opportunity for attendees to complete the virtual offerings -- eliminating the time and cost of travel, and thus offering teachers and administrators the opportunity to serve their students and also obtain professional education,” Baesler said.

###

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

Kirsten Baesler
State Superintendent

Dr. Donna Fishbeck
Chief of Staff

Laurie Matzke
Assistant 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
<http://www.nd.gov/dpi>

Dec. 17, 2019

Dr. Aimee Copas
Executive Director
North Dakota Council of Educational Leaders
125 Slate Drive, Suite 7
Bismarck, ND 58503-6174

Dear Dr. Copas,

On Oct. 14, 2020, I received from you ND SFN 61092, which asked to designate Oct. 20-22, 2021 (Wednesday, Thursday, Friday) as days during which a "school district may not schedule school-sponsored, school-directed, or school-related activities, including instructional time" ([NDCC 15.1-06-04.1 \(1\)](#)) during the 2021-22 school year. You requested that the State reserve those days for the 2021 fall conference of the North Dakota Council of Educational Leaders.

North Dakota law allows the state superintendent of public instruction to designate two days each year for the restrictions described above. This letter is to inform you I will not be exercising this authority to designate any days that restrict instruction or school activities for the 2021-2022 school year. Given our current pandemic crisis, this approach will provide maximum flexibility for our school districts as they craft their schedules for the next school year.

This approach is consistent with NDCEL's plans to provide a virtual option during the October 2021 Fall Conference. Your offering of a broad window of opportunity for attendees to complete the virtual offerings allows administrators and teachers the opportunity to serve their students and obtain professional education. Thank you for this innovative approach.

Please contact Joe Kolosky, our director of school approval and opportunity, if you have any questions. Joe's email is jkolosky@nd.gov. His phone number is 701-328-2755.

Sincerely,

Kirsten Baesler
ND Superintendent of Public Instruction

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Date: Wednesday, January 6, 2020
To: North Dakota House Education Committee
From: Jeff Fastnacht, Asst. Superintendent
Re: Support for HB 1075

Good Morning Chairman Owens and members of the committee. I am Jeff Fastnacht, Asst. Superintendent at Mandan Public School and I also have the privilege of being the President of the ND Council of Education Leaders. Today, I speak to you on behalf of all educational leaders in North Dakota, as their President.

For over forty years North Dakota has found time in mid-October to ensure educators and leaders are provided an opportunity to broaden and improve their skills, to facilitate the best educational system for our children. This time was once reserved specifically in statute for the ND Teachers Convention. In 2015, this was changed to allow the North Dakota Superintendent of Public Instruction to identify the days. During this entire time ND Council of Educational Leaders has conducted their fall convention.

As you are aware the Superintendent, just recently, notified schools that she would not identify any days in October of 2021 for professional development. As stated before, this is the first time in over forty years where the fall educators break is not set for all schools.

I hope you believe that educational leaders make a difference for our schools, educators, and our children. *The International Journal of Instruction* (Ismail, Don, Husin & Khalid, 2018) shared the results of a study entitled "Instructional Leadership and Teacher's Functional Competency across the 21st Century Learning" in 2018. This study concluded that there was a strong positive correlation between school leader's instructional leadership and teachers' functional competency. Leaders instructional leadership practices were reported to improve teachers' success in their instructional practices, which in turn increased student performance (Ismail, Don, Husin & Khalid, 2018).

The annual NDCEL Conference is the premier professional development opportunity for school leaders. Each year, this event hosts hundreds of leaders offering access to world renowned thought leaders, regional experts on educational practices, and state-level innovators. No other event in our state provides leaders with this depth of opportunities. No other event offers half as many hours of professional development as the NDCEL Fall Conference.

The question for some, is do these days need to be carved out as non-instructional days. In my view yes. Principals and Superintendents in small schools need to be in their schools when students are present. I have known many leaders that have not attended other events or allowed their full leadership teams attend events in the past, because of the need to have leaders in the building while instruction was taking place. Educators are amazing, but when trouble arises leaders are often called upon to address concerns promptly. Leaders in our state believe their only opportunity to take part in professional development of this quality during a busy school year is when classes are not in session. They rely on these days to be excluded from instructional calendars so they can advance their skills.

I would simply ask that you support HB 1075 to ensure that our states educational leaders are provided the opportunity to learn, grow, and become the leaders our educators, families and students deserve.

Thank you for your time and I would stand for any questions from the committee.

Reference

Ismail, S. N., Don, Y., Husin, F., & Khalid, R. (2018, July). Instructional Leadership and Teachers' Functional Competency across the 21st Century Learning. Retrieved January 4, 2021, from <https://files.eric.ed.gov/fulltext/EJ1183348.pdf>

2021 SENATE EDUCATION

HB 1075

2021 SENATE STANDING COMMITTEE MINUTES

Education Committee
Room JW216, State Capitol

HB 1075
2/10/2021

A BILL relating to school district calendar limitations.
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Chair Schaible opened the hearing at 2:53 p.m.

Discussion Topics:

- Schedules
- Teacher conferences
- Paid days off

Senator	Attendance
Chairman Schaible	P
Senator Elkin	P
Senator Conley	P
Senator Lemm	P
Senator Oban	P
Senator Wobbema	p

Rep. Jason Dockter, Dist 7 – introduced the bill

Nick Archuleta – ND United – testified in support #6210

Kirsten Baesler – ND Supt of Public Instruction –
in support of bill #6279

Dr Aimee Copas – NDCEL – testified in support #6266

Adjourned at 3:22 p.m.

Lynn Wolf, Committee Clerk



**Testimony on HB 1075
Senate Education Committee
February 10, 2021**

Chairman Schaible and members of the Committee, for the record, my name is Nick Archuleta, President of North Dakota United. On behalf of our 11,500 members, I am here today to urge a DO PASS recommendation on HB 1075, in its current form.

HB 1075, as amended by the House Education Committee and passed by the House, respects the principle of local control by repealing section 15.1-06-04.1 of the North Dakota Century Code relating to school district calendar limitations. In so doing, local school districts will have the ability to use days previously held in abeyance as they see fit.

The passage of HB 1075 will not preclude NDCEL, ND United, the ND School Boards Association, or any other educational organization from hosting a professional development conference. Nor will HB 1075, as passed by the House, prevent local school districts from engaging in their own professional development or that of any professional development provider. It will simply return the decision-making authority for those two days in October back to the school district to schedule as they would any other school day.

With that, Mr. Chairman, and members of the Committee, I will conclude my testimony and urge a DO PASS recommendation on HB 1075, as it appears before you today.

I am happy to stand for any questions you may have.

**TESTIMONY ON HB 1075
SENATE EDUCATION COMMITTEE**

February 10, 2021

By: Kirsten Baesler, Superintendent of Public Instruction

701-328-4570

North Dakota Department of Public Instruction

Chairman Schaible and Members of the Committee:

My name is Kirsten Baesler, and I serve as the Superintendent of Public Instruction for the state of North Dakota. I am here to speak in favor of HB 1075.

NDCC 15.1-06-04.1 currently states that schools cannot schedule school sponsored activities, including instruction, on days that the Superintendent of Public Instruction declares in conflict of a professional development conference directed towards all teachers or all administrators hosted by an educational organization in this state. There is nothing in law stating that the Superintendent of Public Instruction must declare these professional development days, but approval has traditionally been granted.

For the upcoming 2021-2022 school-year, for a variety of reasons driven primarily by COVID-19, approval was not granted to declare these days, in order to provide more local control and allow each individual school district to make the decision for themselves whether or not to hold school or schedule activities on these days.

I feel strongly that the State should not dictate what days a school should be in session beyond what is absolutely necessary and already mandated by NDCC.

HB 1075 as originally filed provided even more local control to school districts in future years to allow locally elected school board members to make their own decisions about school sponsored activities. The bill was amended and passed in the House to rightly broaden local control and give locally elected school board members full authority of their school calendars to best accommodate the needs of their students, families, educators, and communities. The Department supported the amendment. Local decision-makers in districts, along with their community, must have the option to close schools or schedule events on days they so choose.

We've taken a pretty firm and widespread stance in this state to infringe on local control as little as possible. Currently, Century Code lists the following days on which schools may not schedule instruction or activities, and they include: any Sunday, New Year's Day, Good Friday, Memorial Day, Independence Day, Labor Day, Veteran's Day, Thanksgiving Day, and Christmas Day, as well as any day declared to be a public holiday by the President of the United States, or the Governor of North Dakota. These are the only days currently prohibited in law.

Local school boards have long been granted broad discretion in setting their school calendars from July 1 to June 30 in any given year. Requiring mandated

days that schools must be closed or prohibit activities further will only impede the flexibility and autonomy which they rightfully deserve.

I know we all agree that high quality professional development is extremely important for all educators. I think we also can all agree that the current flexibility that was requested and that you've granted in NDCC 15.1-06-03 and 15.1-06-04 to let school boards schedule the required number of hours/days for student instruction leaves ample opportunity throughout the year, and in June, July and August to seek the professional development they most need. Quality professional development offerings will and should dictate the calendar schedule and how narrowly- or broadly educators should gather together for professional learning should be based on demand each year, not on a permanent statewide mandate.

HB 1075 maintains our commitment to letting our local leaders decide what is best for their school schedule. To decide otherwise is in direct opposition to our state's long-held belief that the state is **not** the entity who is in a better position to decide what is best for local teachers, families, leaders, and communities.

Chairman Schaible and Members of the Committee that concludes my prepared testimony and I will stand for any questions that you may have.



HB 1075 – Student Extracurricular Activities held on Teacher/Admin professional development days. NDCEL Testimony in support with potential amendment.

2/10/21

Good afternoon Chairman Schaible and members of the Senate Education Committee. My name is Dr. Aimee Copas and I am here today representing NDCEL which serves all educational leaders in schools with the exception of school boards and teachers.

Today we are discussing the Fall Convention for Teachers and Administrators. I'm here today to provide you with some historical context as well as valuable data that both supports the bill and that may support a suggested amendment to assure the opportunity to develop our school leaders and instructional staff each year.

These two days have been held as no-school days for nearly 50 years. For many decades, there were two separate conferences – one held for teachers, one for administrators, however both were always held on the same two days of the year (the third Thursday and Friday in October). Over time the state has transitioned between whether the time spent in PD would be required, paid for or not, etc. It seems that from a “requirement” standpoint that the past decade has been handled well in that there is no-school that day to provide the opportunity, but schools were not required to pay their teachers to attend. In more recent years, NDUnited discontinued hosting the conference. For many years, the week before the conference week, NDDPI would host what was called the Title I conference. Upon the discontinuation of the NDUnited Teacher Conference, NDDPI expanded their offering to make it more relevant to more teachers. For the past 6+ years, the field of teachers and administrators continually asked for NDCEL to work with NDDPI to merge the two conferences and have them both held on the two days of no-school as the substitute teacher issue that existed to have teachers attend the NDDPI Educator conference the week before as well as expenses was a burden to districts.



As a response to the field, NDCEL did just that and requested that NDDPI partner. NDDPI was gracious in working with NDCEL and handed over the conference to them as conference planning was a large burden on their staff as well. Hence, in 2020, NDCEL hosted the first ever Fall Conference for *All Educators* – targeted at all instructional staff from Para-Educators to Superintendents and all staff in-between. All educational parties interested were invited to help design the conference to provide an assurance of quality for all attendees – a design team of well over 30 people helped design the conference. Albeit that it was an odd year and a bit of a challenge since it needed to be remote due to COVID, it was hugely successful with over 3000 registrants. Over ½ of those attended for free. Live attendees over the two days of no-school were up to 1000 people and others have been continually utilizing content and are able to do so through April. Many districts registered their entire instructional staff. To date we can account for over 25,000 hours of training that our educators have participated in.

Now let's talk about the future. In 2021 NDCEL has the Bismarck Event Center contracted to bring us back together live and in person once again. There will be incredibly valuable and dynamic professional development and networking opportunities that only happen at the Fall Conference. We anticipate recorded *breakout sessions* to be available **after** the conference for expanded PD offerings for districts as it provides an ongoing opportunity for educators to self-direct their growth. Keynotes will **NOT** be recorded however based on their contract requirements and *may* be livestreamed (if allowed by speaker) on the two days of the conference for those attendees that may wish to attend remotely and have access to the training for the entire year. This option provides districts huge PD flexibility later in the year and the ability to tailor their development all year long while saving dollars.

The chief complaint that I've received over the years, and that NDHSAA has also heard is that there should be flexibility to host extracurricular activities on Friday afternoon after the conclusion of the conference – that was the crux of the original bill offered by Rep. Dockter. Further-more just before Christmas the decision was made by the state superintendent to **NOT** declare those two days held by school districts as non-school days. My phone and email has

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Executive Director: Aimee Copas-----Assistant Director: Russ Ziegler



55 been non-stop with schools that are concerned about this decision. This prompted my office to
56 conduct a survey just prior to the bill being offered in the house, the intent being find out what
57 the desires of our schools are. In a 9-question survey with over 300 respondents, we asked about
58 the participants school size, their position in the school, and based on a research driven Likert
59 scale the degree to which they found the Fall Conference days useful, whether there should be
60 extra-curriculars held on Friday, the challenges posed by not holding those days as no-school
61 days statewide, whether or not the respondent attends the fall conference, and whether their
62 school calendar plans have changed. Finally, we asked whether we should partner with
63 NDHSAA, and other partners such as our legislators to ensure these two days are held as no-
64 school days moving forward.

66 The only way our administrators and teachers can attend in a significant way (especially in
67 smaller districts) is if there is not school. Not having the days held greatly disadvantages our
68 school principals - especially those from our smaller communities. In 2015, when legislators
69 questioned the value of the 2 days held, the law was amended to reflect its current verbiage.
70 However, the educational leaders are asking now for a stronger assurance that this will not
71 potentially adjust each year.

73 This brings me to our requested amendment. Based on the survey data, the districts are
74 indicating that having this anchored in law would be beneficial. With my husband and I both
75 being in education I have exposure to large numbers of teachers as well. Each and every teacher
76 I talked to wanted these days to be held as non-instructional days and to be able to locally decide
77 how to use them. This would also alleviate NDDPI the annual burden of having to spend the
78 time doing the applications, declaring the day, and doing press releases annually regarding the
79 declaration of the days.

81 We'd humbly request the consideration of the following amendment which includes the intent of
82 Rep. Docktor's language and request and goes further to have the ND Legislature hold the days
83 moving forward that have been historically for this purpose:

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15.1-06-04.1. School district calendar - Limitation.

~~1. A school district may not schedule school-sponsored, school-directed, or school-related activities, including instructional time, during any day that the superintendent of public instruction declares is in conflict with a professional development conference directed toward all teachers or all administrators and hosted by an educational organization in this state~~

~~2. The declaration permitted by subsection 1 is limited to two days during a school year.~~

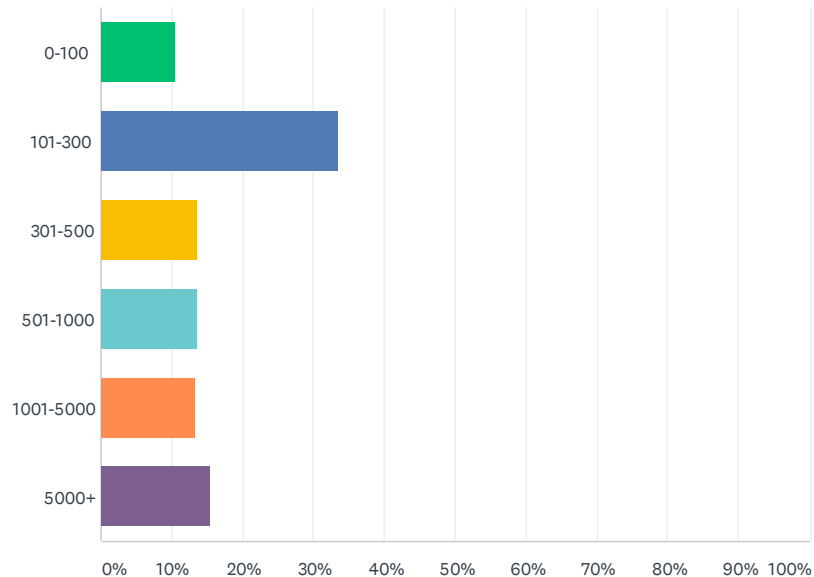
Strike the whole area of code and replace with this:

15.1-06-4.1

A school district shall not schedule student instructional time during the third Thursday and Friday of October. These two days are held for elective professional development conferences for teachers or administrators at the state, regional, or local level.

Q1 Please share your district size based on school enrollment

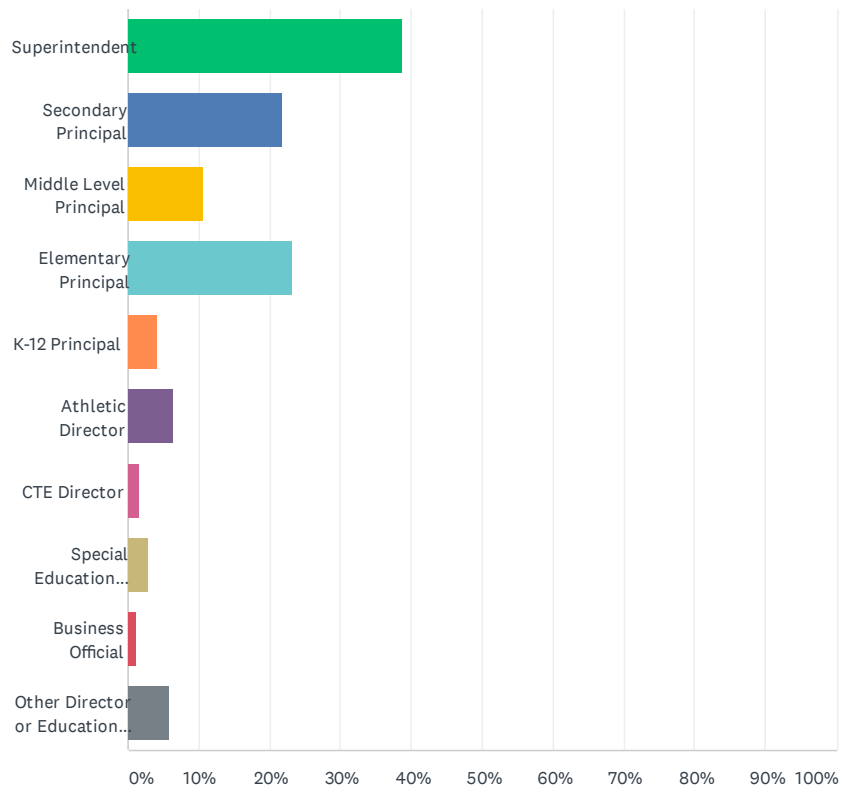
Answered: 308 Skipped: 0



ANSWER CHOICES	RESPONSES	
0-100	10.39%	32
101-300	33.44%	103
301-500	13.64%	42
501-1000	13.64%	42
1001-5000	13.31%	41
5000+	15.58%	48
TOTAL		308

Q2 Please share your position within your school district. (Select all that apply to you to account for those of you with multiple roles)

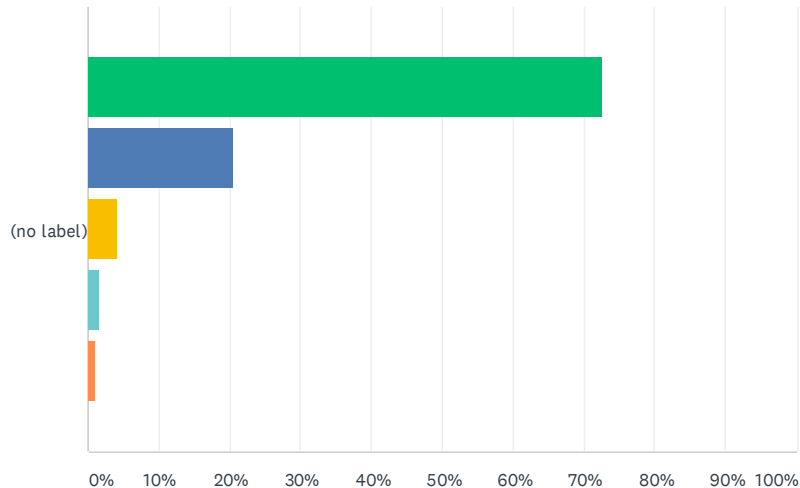
Answered: 307 Skipped: 1



ANSWER CHOICES	RESPONSES	
Superintendent	38.76%	119
Secondary Principal	21.82%	67
Middle Level Principal	10.75%	33
Elementary Principal	23.13%	71
K-12 Principal	4.23%	13
Athletic Director	6.51%	20
CTE Director	1.63%	5
Special Education Director	2.93%	9
Business Official	1.30%	4
Other Director or Educational Leader	5.86%	18
Total Respondents: 307		

Q3 Please share your belief regarding the usefulness in keeping of the 2 days in the fall for the professional development conference held as no-school days to provide the opportunity for all teachers, instructional staff, directors and administrators from all districts regardless of size can attend.

Answered: 307 Skipped: 1

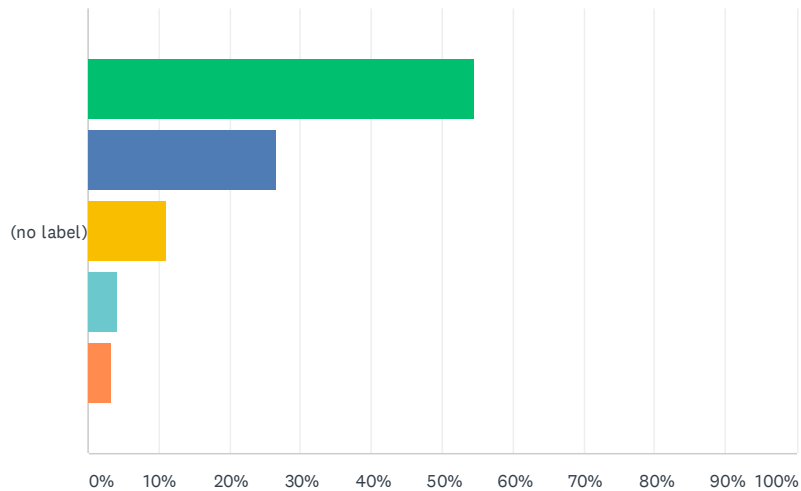


- Strongly Agree - the 2 days are useful for the conference/PD
- Agree - the 2 days are useful for the conference/PD
- Neither agree or disagree that the 2 days are useful for the conference/PD
- Disagree that the 2 days are useful for the conference/PD
- Strongly Disagree that the 2 days are useful for the conference/PD

	STRONGLY AGREE - THE 2 DAYS ARE USEFUL FOR THE CONFERENCE/PD	AGREE - THE 2 DAYS ARE USEFUL FOR THE CONFERENCE/PD	NEITHER AGREE OR DISAGREE THAT THE 2 DAYS ARE USEFUL FOR THE CONFERENCE/PD	DISAGREE THAT THE 2 DAYS ARE USEFUL FOR THE CONFERENCE/PD	STRONGLY DISAGREE THAT THE 2 DAYS ARE USEFUL FOR THE CONFERENCE/PD	TOTAL	WEIGHTED AVERAGE
(no label)	72.64% 223	20.52% 63	4.23% 13	1.63% 5	0.98% 3	307	1.38

Q4 Please share your belief regarding the usefulness of KEEPING the 2 days for the PD Conference for all administrators and all instructional staff AND provide the option to have Friday evening extracurricular activities.

Answered: 304 Skipped: 4

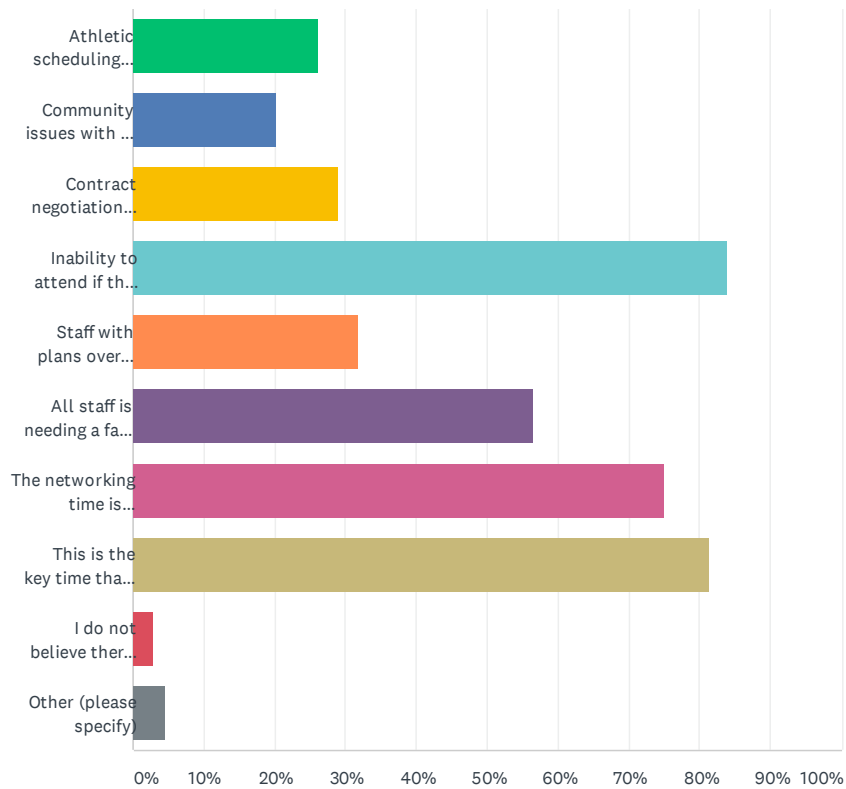


- Strongly Agree to hold the days but allow the option to have Friday evening extracurriculars.
- Agree to hold the days but allow the option to have Friday evening extracurriculars.
- Neither agree or disagree regarding extracurricular activities.
- Disagree to hold the days but allow the option to have Friday evening extracurriculars.
- Strongly Disagree to hold the days but allow the option to have Friday evening extracurriculars.

	STRONGLY AGREE TO HOLD THE DAYS BUT ALLOW THE OPTION TO HAVE FRIDAY EVENING EXTRACURRICULARS.	AGREE TO HOLD THE DAYS BUT ALLOW THE OPTION TO HAVE FRIDAY EVENING EXTRACURRICULARS.	NEITHER AGREE OR DISAGREE REGARDING EXTRACURRICULAR ACTIVITIES.	DISAGREE TO HOLD THE DAYS BUT ALLOW THE OPTION TO HAVE FRIDAY EVENING EXTRACURRICULARS.	STRONGLY DISAGREE TO HOLD THE DAYS BUT ALLOW THE OPTION TO HAVE FRIDAY EVENING EXTRACURRICULARS.	TOTAL
(no label)	54.61% 166	26.64% 81	11.18% 34	4.28% 13	3.29% 10	304

Q5 Please share challenges if the days are NOT held by law as no-school days (select all that apply)

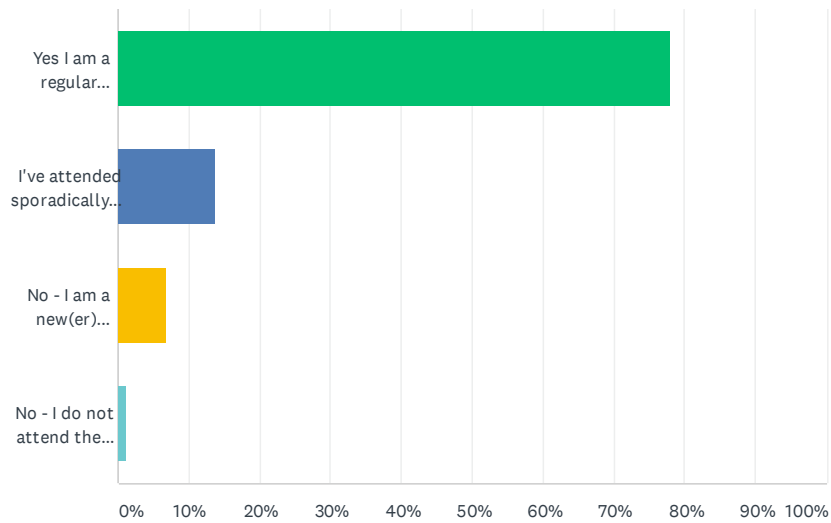
Answered: 306 Skipped: 2



ANSWER CHOICES	RESPONSES	
Athletic scheduling issues	26.14%	80
Community issues with the days on the calendar	20.26%	62
Contract negotiation issues	29.08%	89
Inability to attend if there is school as admin and teachers struggle to be out of the building.	83.99%	257
Staff with plans over these days	31.70%	97
All staff is needing a fall break by this time (doing it as a state helps alleviate issues with scheduling, parents, and other conflicts)	56.54%	173
The networking time is critical - the loss of this is damaging to the profession.	75.16%	230
This is the key time that leaders in the state can be trained - having school as an option makes it difficult to attend.	81.37%	249
I do not believe there are challenges	2.94%	9
Other (please specify)	4.58%	14
Total Respondents: 306		

Q6 Please share whether you have attended a NDCEL Fall Conference in the past.

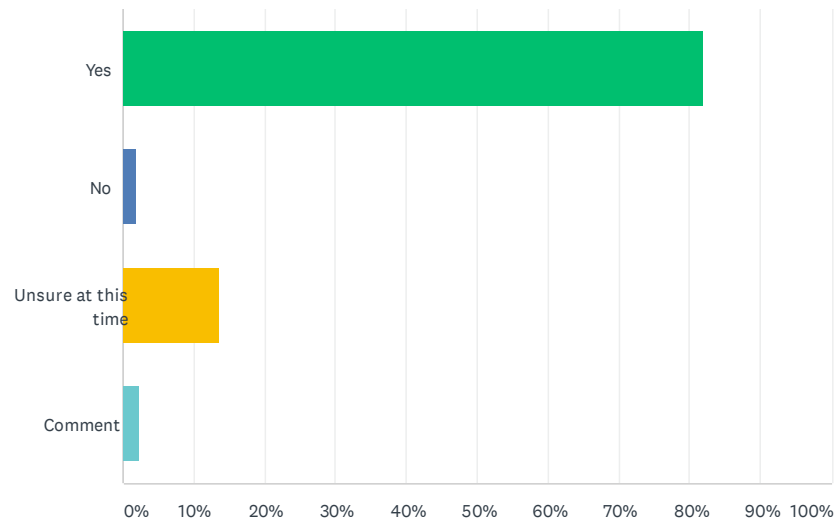
Answered: 305 Skipped: 3



ANSWER CHOICES	RESPONSES	
Yes I am a regular attendee	78.03%	238
I've attended sporadically in the past	13.77%	42
No - I am a new(er) administrator (or new(er) to North Dakota)	6.89%	21
No - I do not attend the NDCEL Fall Conference	1.31%	4
TOTAL		305

Q7 I plan to attend the NDCEL Fall Conference in Bismarck on October 21-22, 2021

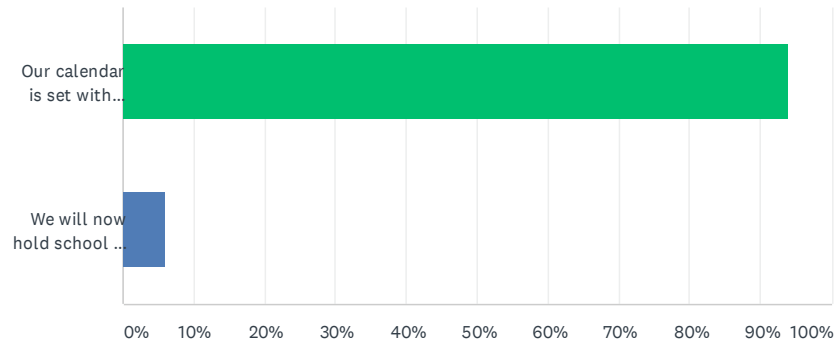
Answered: 307 Skipped: 1



ANSWER CHOICES	RESPONSES	
Yes	82.08%	252
No	1.95%	6
Unsure at this time	13.68%	42
Comment	2.28%	7
TOTAL		307

Q8 Please share your district calendar plans for 2021

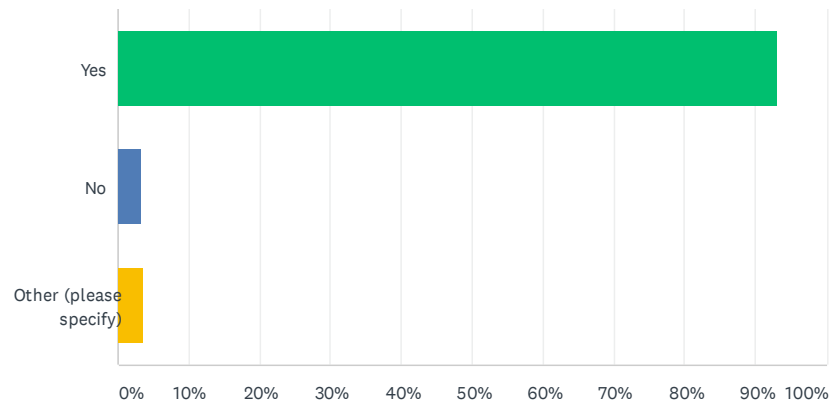
Answered: 276 Skipped: 32



ANSWER CHOICES	RESPONSES	
Our calendar is set with October 21-22, 2021 as no-school days.	93.84%	259
We will now hold school on October 21-22, 2021	6.16%	17
TOTAL		276

Q9 I believe NDCEL should work with NDHSAA and other partners to ensure that these days are held as no-school days in the future.

Answered: 307 Skipped: 1



ANSWER CHOICES	RESPONSES	
Yes	93.16%	286
No	3.26%	10
Other (please specify)	3.58%	11
TOTAL		307

2021 SENATE STANDING COMMITTEE MINUTES

Education Committee
Room JW216, State Capitol

HB 1075
3/16/2021

A BILL relating to school district calendar limitations.

Chair Schaible called to order at 9:10 AM.

Discussion Topics:

- Committee Work
- Amendment 21.0061.02001

Sen Elkin moved amendment 21.0061.02001

Sen Wobbema seconded

Roll Call Vote: 3 - YES; 3 - NO; 0-ab Motion Failed

Sen Oban moved a Do Pass on HB 1075

Sen Elkin seconded

Roll Call Vote: 5 – YES; 1 – NO; 0-ab Motion Passed

Sen Elkin will carry the bill

Adjourned at 9:17 AM

Lynn Wolf, Committee Clerk

Senator	Attendance
Chairman Schaible	P
Senator Elkin	P
Senator Conley	P
Senator Lemm	P
Senator Oban	P
Senator Wobbema	P

Amend 21.0061.02001	Vote
Chairman Schaible	Y
Senator Elkin	Y
Senator Conley	N
Senator Lemm	N
Senator Oban	N
Senator Wobbema	Y

SB 1075	Vote
Chairman Schaible	N
Senator Elkin	Y
Senator Conley	Y
Senator Lemm	Y
Senator Oban	Y
Senator Wobbema	Y

March 15, 2021

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1075

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to amend and reenact section 15.1-06-04.1 of the North Dakota Century Code, relating to student extracurricular activities held on teacher professional development conference days.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 15.1-06-04.1 of the North Dakota Century Code is amended and reenacted as follows:

15.1-06-04.1. School district calendar - Limitation.

- 1- A school district may not schedule ~~school-sponsored, school-directed, or school-related activities, including instructional time, during any day that the superintendent of public instruction declares is in conflict with the third Thursday or third Friday in October of each school year, both of which are reserved for an elective~~ professional development conference directed toward all teachers or all administrators and hosted by an educational organization in this state.
- 2- ~~The declaration permitted by subsection 1 is limited to two days during a school year."~~

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1075, as engrossed: Education Committee (Sen. Schaible, Chairman) recommends **DO PASS** (5 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). Engrossed HB 1075 was placed on the Fourteenth order on the calendar.