

2023 HOUSE EDUCATION

HB 1178

2023 HOUSE STANDING COMMITTEE MINUTES

Education Committee Coteau AB Room, State Capitol

HB 1178
1/18/2023

Relating to the appointment of additional community members to career and technology center boards
--

11:00 AM Chairman Heinert Opened meeting

Members present: Chairman Heinert, Vice Chairman Schreiber-Beck, Representatives Conmy, Dyk, Hager, Hauck, Heilman, Hoverson, Jonas, Longmuir, Marschall, Murphy, Novak, and Timmons.

Discussion Topics:

- Years on boards
- Community board members

Representative Mike Lefor, District 37, (#14264)

Wayde Sick, Director NDCTE, (#13953)

Steve Easton, President at Dickinson State University, (#13914)

Aaron Anderson, Director Southwest Area Career and Technical Education. Oral testimony in support of HB 1178.

Alexis Baxley, Executive Director ND School Board Association, Oral testimony in support.

Additional written testimony:

Marcus Lewton, Superintendent, Dickinson Public Schools (#13573)

11:34:57 AM Chairman Heinert closes the hearing.

Kathleen Davis, Committee Clerk By: Leah Kuball

2023 HOUSE STANDING COMMITTEE MINUTES

Education Committee Coteau AB Room, State Capitol

HB 1178
1/31/2023

Relating to the appointment of additional community members to career and technology center boards
--

11:09 AM Chairman Heinert opens the hearing

Present: Chairman Heinert, Vice Chairman Schreiber-Beck, Representatives Conmy, Dyk, Hager, Hauck, Heilman, Hoverson, Jonas, Longmuir, Marschall, Murphy, Novak, and Timmons.

Rep Schreiber Beck moved to adopt amendment 23.0085.01001 (#21164), seconded by

Rep Novak. Voice vote. Motion carried.

Rep Schreiber Beck moved a Do Pass as Amended, seconded by Rep Murphy.

Roll call vote:

Representatives	Vote
Representative Pat D. Heinert	Y
Representative Cynthia Schreiber-Beck	Y
Representative Liz Conmy	Y
Representative Scott Dyk	Y
Representative LaurieBeth Hager	Y
Representative Dori Hauck	Y
Representative Matt Heilman	N
Representative Jeff A. Hoverson	Y
Representative Jim Jonas	Y
Representative Donald W. Longmuir	Y
Representative Andrew Marschall	Y
Representative Eric James Murphy	Y
Representative Anna S. Novak	Y
Representative Kelby Timmons	N

Yes 12 No 2 Absent 0 Motion carried.

Rep Jonas is carrier.

11:21 AM Chairman Heinert closed hearing.

Kathleen Davis, Committee Clerk By: Leah Kuball

January 31, 2023

JS 1-31-23

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1178

Page 1, line 10, replace "and no" with ". No"

Page 1, line 11, overstrike the semicolon

Page 1, line 23, replace "A university" with "An institution of higher education, including an institution under the control of the state board of higher education, a North Dakota nonpublic accredited institution of higher education, or a tribally controlled community college"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1178: Education Committee (Rep. Heinert, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). HB 1178 was placed on the Sixth order on the calendar.

Page 1, line 10, replace "and no" with ". No"

Page 1, line 11, overstrike the semicolon

Page 1, line 23, replace "A university" with "An institution of higher education, including an institution under the control of the state board of higher education, a North Dakota nonpublic accredited institution of higher education, or a tribally controlled community college"

Renumber accordingly

2023 SENATE EDUCATION

HB 1178

2023 SENATE STANDING COMMITTEE MINUTES

Education Committee
Room JW216, State Capitol

HB 1178
3/1/2023

Relating to appointment of additional community members to career and technology center boards.

2:00 PM Chair Elkin opened the hearing. Present: Chair Elkin, Vice Chair Beard, Sen Axtman, Sen Conley, Sen Lemm, and Sen Wobbema.

Discussion Topics:

- Environmental changes in career technical education (CTE)
- Membership expansion

Rep Lefor, Dist 37, bill sponsor, testified in support #21589

Wayde Sick, Dir ND CTE, (Career Technical Education) testified in support #21336.

Dr John Miller, Dickinson State University, testified in support via TEAMS #21345.

Aaron Anderson, Dir SW CTE, (Career Technical Education) in Dickinson, testified in support via TEAMS #21503.

2:49 PM Chair Elkin closed the hearing.

Pam Dever, Committee Clerk

2023 SENATE STANDING COMMITTEE MINUTES

Education Committee
Room JW216, State Capitol

HB 1178
3/8/2023

Relating to the appointment of additional community members to career and technology center boards.

9:52 AM Chair Elkin opened committee work. Present: Chair Elkin, Vice Chair Beard, Sen Axtman, Sen Conley, Sen Lemm, and Sen Wobbema.

Discussion Topics:

- Committee action

Sen Wobbema discussed the Christmas tree he brought for amendment #26779.

Sen Wobbema moved amendment 23.0085.02001. Sen Conley seconded.

Senators	Vote
Senator Jay Elkin	Y
Senator Todd Beard	Y
Senator Michelle Axtman	AB
Senator Cole Conley	Y
Senator Randy D. Lemm	Y
Senator Michael A. Wobbema	Y

VOTE: YES – 5 NO – 0 Absent – 1

Motion PASSED

Sen Conley moved a DO PASS as amended. Sen Wobbema seconded.

Senators	Vote
Senator Jay Elkin	Y
Senator Todd Beard	Y
Senator Michelle Axtman	AB
Senator Cole Conley	Y
Senator Randy D. Lemm	Y
Senator Michael A. Wobbema	Y

VOTE: YES – 5 NO – 0 Absent – 1

Motion PASSED

Sen Wobbema will carry the bill.

9:58 AM Chair adjourned the meeting.

Pam Dever, Committee Clerk

March 8, 2023

AGC
3-8-23
(1-1)

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1178

Page 1, line 19, replace "three" with "five"

Page 1, line 20, after "The" insert "number of community board members appointed under this subsection must be fewer than the number of school district members permissible under subsection 1. Subject to the limitations in this subsection, the"

Page 1, line 21, remove "one community member from each of the following entities to serve on the"

Page 1, line 22, remove "center board"

Page 2, line 1, replace "An" with "No more than one community board member from an"

Page 2, line 3, replace the underscored semicolon with an underscored period

Page 2, line 4, replace "A" with "No more than one community board member from a"

Page 2, line 4, replace "; and" with an underscored period

Page 2, line 5, replace "A" with "One or more community board members from a"

Page 2, line 5, after "entity" insert ", with each community board member representing a different private sector"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1178, as engrossed: Education Committee (Sen. Elkin, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (5 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed HB 1178 was placed on the Sixth order on the calendar. This bill does not affect workforce development.

Page 1, line 19, replace "three" with "five"

Page 1, line 20, after "The" insert "number of community board members appointed under this subsection must be fewer than the number of school district members permissible under subsection 1. Subject to the limitations in this subsection, the"

Page 1, line 21, remove "one community member from each of the following entities to serve on the"

Page 1, line 22, remove "center board"

Page 2, line 1, replace "An" with "No more than one community board member from an"

Page 2, line 3, replace the underscored semicolon with an underscored period

Page 2, line 4, replace "A" with "No more than one community board member from a"

Page 2, line 4, replace ":", and" with an underscored period

Page 2, line 5, replace "A" with "One or more community board members from a"

Page 2, line 5, after "entity" insert ", with each community board member representing a different private sector"

Renumber accordingly

TESTIMONY

HB 1178



Dr. Marcus Lewton – Superintendent

☎ 701-456-0002

📍 444 4th Street West

✉ mlewton@dpsnd.org

Dickinson, ND 58601

January 18, 2023

Chairman Heinert and Members of the Committee,

My name is Marcus Lewton, and I am the superintendent of Dickinson Public Schools. I submit this letter in support of House Bill 1178.

Over two years ago, I sat on a community task force to develop a regional CTE Center in Southwest, ND. We created this task force in response to the dire need for a trained workforce for local businesses and industries and to provide much-needed opportunities for students in the region.

The important part is that this idea for a regional center was not the creation of a few educators but instead a table full of business leaders, legislators, community members, and educators. Our community asked for a solution to the problem of the lack of trained employees in Southwest ND, and this group worked tirelessly to find an answer.

Dickinson State University, along with Trinity Catholic Schools, was an essential part of the development of the Southwest Career & Technical Education Academy. I support this bill as it further engages the necessary stakeholders in developing a Center to meet the needs of our region.

Thank you for the opportunity to offer this testimony.

Sincerely,

Marcus Lewton, Ed.D.

Success for all!





DICKINSON STATE UNIVERSITY

STEPHEN D. EASTON, J.D.

President

(701) 483-2326

steve.easton@dickinsonstate.edu

January 17, 2023

The Honorable Pat Heinert, Chair
House Education Committee
68th Legislative Assembly
600 East Boulevard Avenue
Bismarck, ND 58505

Re: House Bill 1178

Dear Chair Heinert and House Education Committee Members:

I strongly support House Bill 1178, which would make it possible for persons representing universities, parochial or private schools, and private sector entities to serve on boards of area career and technology centers.

For some CTE Centers, like the Southwest CTE Academy, universities, private schools, and industry are key partners. Indeed, the Southwest CTE is the outgrowth of a CTE Task Force in the Dickinson area that included DSU, Trinity Schools, and local industry. All are key stakeholders, so all should have the opportunity to be represented on the Southwest CTE Academy Board. At Dickinson State, we look forward to that opportunity.

Please note that the statute does not require career and technology centers to include representatives of these entities on their boards. Instead, it simply makes this an option. Some CTE boards will exercise that option, while others might decide not to do so. Thus, House Bill 1178 advances local autonomy.

Thank you for considering my views.

Sincerely,

Stephen D. Easton

**House Education
HB1178**

January 18, 2023

Chairman Heinert and members of the House Education Committee, my name is Wayde Sick, State Director for the Department of Career and Technical Education. I am here to testify in support of HB1178 and offer amendments to clarify the bill.

Currently, the state's Area Career and Technology Centers are governed by Boards, comprised of the representation from each of its participating school districts. Each school district is allowed at least one Board member, with a maximum of three for larger school districts.

In the November 2021 Special Legislative Session, the Department of Career and Technical Education was appropriated \$88.3 million dollars for new and expanding Area Career and Technical Centers. Preference was given to applications that include post-secondary partnerships. The grant also required a one-to-one match.

Because of the grant, and deeper involvement of partners outside of public K12 Education, there may be a need to revisit the makeup of a CTE Center Board. HB1178 would allow a Center Board the ability to include up to three community Board members, representing higher education, a parochial or private school and the private sector. Currently Area Career and Technical Centers serve private schools. This would allow a representative from the Private School to also serve on the Board.

I do have a few amendments for consideration.

Page 1, line 10, after "members" insert "."

Page 1, line 10, remove "and"

Page 1, line 10, replace “no” with “No”

Page 1, line 11, remove “;”

Renumber accordingly.

The bill would then read as follows:

- 1. An area career and technology center must be operated by a center board of at least five members. No more than one member for each participating district provided, however, that each participating school district with three hundred or more high school students must be allowed one member for each three hundred high school students or fraction thereof with no more than three members from any one school district. The terms of office of the school district members of center boards must be for at least one year and terminate upon the expiration of the member's terms on the member's respective school boards. Members are eligible for reappointment to center boards.*

This simply clarifies the bill, to simplify how large the Board must be and who can serve. It does not change the intent of HB1178.

Also, this amendment could be considered.

Page 1, line 23, replace “university” with “Institutions of higher education including institutions under the control of the state board of higher education, North Dakota nonpublic accredited institutions of higher education or tribally controlled community colleges;

Renumber according.

The current word “university” implies a 4-year institution and may inadvertently imply a community college is not eligible. I believe it is important to clarify that it may include all the institutions of higher education, located in the state.

Finally, I believe it is worth mentioning HB1348 also amends the Governance of CTE Center Boards. I wanted to ensure the Committee is aware so both bills can amend CTE Center Governance structure and not inadvertently contradict each other.

This concludes my testimony, and I am happy to stand for any questions.

Representative Mike Lefor

HB 1178 Testimony

Good morning chair Heinert, vice chair Schreiber-Beck and members of the House education committee, for the record, my name is Mike Lefor and I represent District 37 Dickinson in the House. I bring HB 1178 to you for your consideration.

As we all know, career and tech academies are providing more educational opportunities for our young people and adults as well. There are many strategies at play when offering these opportunities. Recently, CTE's have been appearing in all regions of our state. It takes many components to be successful.

These academies are sometimes the result of collaboration of many different sectors within a community or region. This includes public and private education, universities, the private sector, community and business leaders and members of our local economic development group.

For example, in Dickinson, a task force created to start a CTE to serve southwestern North Dakota, included representatives from Dickinson State University, Trinity Catholic Schools, Dickinson Public Schools and more in advancing the new center.

In the North Dakota century code, it currently provides for these facilities to have a board of directors. At the present time, only public schools have representation on these boards. This was a great model to have previously, however, the game has changed.

With so many different groups coming together, it presents an opportunity to not only involve them from a talent and treasure prospective, but overall governance as well. If you would go to page one starting on line 19, this bill provides for appointment of up to three community members one each from a university, a private or parochial school or a private sector entity.

It states the board "may" appoint; this leaves the decision with local boards. Additionally, the term of these community members would be for a term of three years. Finally, community member vacancies may be filled by the center board.

According to the state department of career and technical education, more than \$80 million has been donated to our career and tech academies in the past several years. This included cash, in-kind and property donations. Many in the private sector are wanting to provide scholarships in our area providing a strong partnership with the CTE.

I believe this gives local CTE boards the ability to move forward with additional expertise. I ask the community to give HB 1178 a do pass recommendation and I would be happy to answer any questions.

23.0085.01001
Title.02000

Adopted by the House Education Committee

January 31, 2023

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1178

Page 1, line 10, replace "and no" with ". No"

Page 1, line 11, overstrike the semicolon

Page 1, line 23, replace "A university" with "An institution of higher education, including an institution under the control of the state board of higher education, a North Dakota nonpublic accredited institution of higher education, or a tribally controlled community college"

Renumber accordingly



**Senate Education
HB1178**

March 1, 2023

Chairman Elkin and members of the Senate Education Committee, my name is Wayde Sick, State Director for the Department of Career and Technical Education. I am here to testify in support of HB1178.

Currently, the state's Area Career and Technology Centers are governed by Boards, comprised of the representation from each of its participating school districts. Each school district is allowed at least one Board member, with a maximum of three for larger school districts. A minimum of five members must serve on a Board. The five members of the Board are school board members of the partner schools.

In the November 2021 Special Legislative Session, the Department of Career and Technical Education was appropriated \$88.3 million dollars for new and expanding Area Career and Technical Centers. Preference was given to applications that include post-secondary partnerships. The grant also required a one-to-one match.

Because of the grant, and deeper involvement of partners outside of public K12 Education, including post-secondary, private sector, and private schools, I believe now is the time to revisit the makeup of a CTE Center Board. HB1178 would allow a Center Board the option to include up to three community Board members, representing higher education, a parochial or private school and the private sector. The reason these three types of entities were selected is these are the additional organizations that could be served by a CTE Center. This is optional, and decision would be up to the local Board and its members schools, if they elect to include community board members. These three

community Board members would be above and beyond the five elected school board members, meaning the locally elected members would always have a majority vote on a Center Board.

I would also like to mention that HB1348 would also amend the makeup of a Center Board. The language in HB1348 does not conflict with HB1178 and I am also supportive of HB1348 and will provide testimony when a hearing is scheduled.

This concludes my testimony, and I am happy to stand for any questions.

February 28, 2023

Subject: Letter of support for HB 1178

Senator Elkin and members of the North Dakota Senate Education Committee, I am writing in support of HB 1178, which allows for the appointment of additional community members to career and technology center governing boards. For archive purposes, I am Dr. John Miller, and I currently serve as the interim Vice-President and Provost of Dickinson State University.

HB 1178 allows for appointment of up to three community members in addition to the school district members already designated in section 15-20.2-04 of the North Dakota Century Code. Specifically, said appointments may include a representative from an institution of higher education under the control of the SBHE.

Given the dual mission of DSU, including, and expanding emphasis on career technical education, the university is especially interested in taking an active role in both programming and support for the Southwest Career and Technical Education Academy in Dickinson, given the fact that DSU will share space in the facility and support programs that are direct technical career pathways from local school districts to DSU. Allowing the university to have a seat on the SWCTE governing board will provide DSU with the opportunity to work more closely and in “real time” with the local career technical center and all participating school districts, thus helping DSU to be more receptive to the needs of our K-12 partners and to business and industry.

The effectiveness of any governing board is ultimately measured in the time and talent of its members, and with the passage of HB 1178, colleges and universities will have an opportunity to directly contribute time and talent to the governance of local career and technology center boards. This addition to North Dakota Century Code section 15-20.2-04 simply adds “people power” and expertise to local CTE governing boards, while supporting the critical role played by locally elected trustees.

Personally, and on behalf of Dickinson State University, I urge you to support HB 1178.

Respectfully Submitted,

John Miller, Ed.D.
Interim VP/Provost
Dickinson State University



Feb 28th, 2023

To: Chairman Elkin and Members of the Senate Education Committee

My name is Aaron Anderson and I have the pleasure of working for the Southwest Area CTE Academy (SW CTE) in Dickinson, ND. SW CTE is currently a partnership of seven high schools, Dickinson State University and numerous business and industry partners in SW ND. As we continue to move forward with this project, we continue to add schools and business partners that are committed to providing high quality Career and Technical Education to help train and develop the next generation of North Dakota workers.

My testimony today is to show support for HB1178 in giving CTE Centers & Academies like ours the ability to expand our governance structure to include post-secondary, business and industry and parochial school partners. With the growth and expansion of CTE across ND, it is imperative that we stay connected with industry trends, build a seamless secondary to post-secondary transition, provide access to workforce training for all students which will help build a stronger workforce for our state.

While each of our training programs operate an industry advisory committee our governance board is only made up of school board members from our partner schools. This bill would bring in additional voices and perspectives to the conversation and strengthen the operations of our organizations. HB 1178 will not require a CTE Center to add these positions, only the opportunity to do so if they felt it would better serve their needs.

A CTE Center must have a minimum of three partner schools and is typically tied to a larger school district in the state. For every three hundred students that are enrolled allow an additional board member on the governance board capped at a maximum of three from any one school. This means these additional positions outlined in HB1178 would always be in the minority of the board makeup.

Thank you for your continued support of Career and Technical Education across our great state and for your considerations regarding this legislation in front of you today.

Sincerely,

Aaron Anderson
CTE Director
Southwest Area CTE Academy
Dickinson Public Schools

Representative Mike Lefor

HB 1178 Testimony

Good afternoon chair Elkin, vice chair Beard and members of the Senate Education Committee, for the record, my name is Mike Lefor and I represent District 37 Dickinson in the House. I bring HB 1178 to you for your consideration.

As we all know, career and tech academies are providing more educational opportunities for our young people and adults as well. There are many strategies at play when offering these opportunities. Recently, CTE's have been appearing in all regions of our state. It takes many components to be successful.

These academies are sometimes the result of collaboration of many different sector within a community or region. This includes public and private education, universities, the private sector, community and business leaders and members of our local economic development groups.

For example, in Dickinson, a task force was created to start a CTE to serve southwestern North Dakota, which included representatives from Dickinson State University, Trinity Catholic Schools, Dickinson Public Schools and more in advancing the new center.

In the North Dakota century code, it currently provides for these facilities to have a board of directors. At the present time, only public schools have representation on these boards. This was a great model to have previously, however, the game has changed.

With so many groups coming together, it presents an opportunity to not only involve them from a talent and treasure prospective, but overall governance as well. HB 1178 changes current code beginning on page 1, line 9 by stating that each CTE board must have at least five members and no more than one member of a participating school district. On page 1, lines 14 and 15, it removes the language requiring center boards must be members of school boards.

The bill breaks down board membership with school district members as has been done previously and adds the potential for community board members. It states that the center board may appoint one community member from each of the following entities to serve on the center board. This includes a university member, a parochial or private school member and an individual from the private sector. It sets the term limit for community board members at three years.

In subsection 5, it states that school district member vacancies must be filled by the school board whose representation was lost due to a vacancy. Community member vacancies may be filled by appointment as indicated in the first part of the bill. According to the state department of career and technical education, more than \$80 million has been donated to our career and tech academies in the past several years This included cash, in kind and property donations. Many in the private sector are wanting to provide scholarships providing a strong partnership with CTE's.

HB 1178 Testimony

Page 2

I believe this gives local CTE boards the ability to move forward with additional expertise and partnerships. Additionally, the elected school board members would always have the majority of the board seats to be in control. I ask the Senate Education Committee to give HB 1178 a do pass recommendation and position our academies for greater success.

Thank you and I would be happy to answer any questions.

23.0085.02001

FIRST ENGROSSMENT

Sixty-eighth
Legislative Assembly
of North Dakota

ENGROSSED HOUSE BILL NO. 1178

Introduced by

Representatives Lefor, Hatlestad, Kasper, McLeod, Novak, O'Brien, Steiner
Senators Bekkedahl, Cleary, Patten, Rummel

1 A BILL for an Act to amend and reenact section 15-20.2-04 of the North Dakota Century Code,
2 relating to the appointment of additional community members to career and technology center
3 boards.

4 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

5 **SECTION 1. AMENDMENT.** Section 15-20.2-04 of the North Dakota Century Code is
6 amended and reenacted as follows:

7 **15-20.2-04. Center boards - Appointment of members - Terms - Compensation -**
8 **Vacancies.**

9 1. An area career and technology center must be operated by a center board of ~~not less~~
10 ~~than~~ at least five members ~~or~~ No more than a total of one member for each
11 participating district; provided, however, that each participating school district with
12 three hundred or more high school students must be allowed one member for each
13 three hundred high school students or fraction thereof with ~~a limitation of not~~ no more
14 than three members from any one school district. ~~Center board members must be~~
15 ~~members of the school boards.~~ The terms of office of the school district members of
16 center boards must be for at least one year and terminate upon the expiration of
17 ~~their~~ the member's terms on ~~their~~ the member's respective school boards. Members are
18 eligible for reappointment to center boards.

19 2. A center board may appoint up to ~~three~~ five community board members in addition to
20 the school district members permissible under subsection 1. The number of
21 community board members appointed under this subsection must be fewer than the
22 number of school district members permissible under subsection 1. Subject to the
23 limitations in this subsection, the center board may appoint ~~one community member~~
24 ~~from each of the following entities to serve on the center board:~~

- 1 a. ~~An~~ No more than one community board member from an institution of higher
2 education, including an institution under the control of the state board of higher
3 education, a North Dakota nonpublic accredited institution of higher education, or
4 a tribally controlled community college.
- 5 b. ~~A~~ No more than one community board member from a parochial or private school;
6 ~~and.~~
- 7 c. ~~A~~ One or more community board members from a private sector entity, with each
8 community board member representing a different private sector.
- 9 3. The terms of office of the community board members of center boards must be three
10 years.
- 11 4. Center board members shall receive the same compensation and expenses for
12 attending center board meetings or for otherwise engaging in official business for the
13 center as provided in section 15.1-09-06 for members of school boards.
14 Compensation and expenses of center board members must be paid out of center
15 funds. ~~Vacancies~~
- 16 5. School district member vacancies on a center board must be filled by the school board
17 whose representation was lost when the vacancy occurred. Community member
18 vacancies on a center board may be filled by the center board pursuant to
19 subsection 2.