

**2023 SENATE EDUCATION**

**SB 2269**

# 2023 SENATE STANDING COMMITTEE MINUTES

**Education Committee**  
Room JW216, State Capitol

SB 2269  
1/23/2023

Relating to the administration of the center for distance education.

11:07 AM Chair Elkin opened the hearing. Present: Chair Elkin, Vice Chair Beard, Sen Axtman, Sen Conley, Sen Lemm, and Sen Wobbema.

**Discussion Topics:**

- Department transfer
- Quality technology
- Duplication

Sen Davison, Dist 41, bill sponsor testified in support #15371

Dr Alyssa Martin, Dir ND Center Distance Education, testified in support #15251

Wayde Sick, Director ND Career/Technical Education, testified in support #15338

Kristen Baesler, Supt of Public Instruction, testified in support #15539

Mike Heilman, Director ND Small Organized Schools, testified in support #15606

Sonia Meehl, Oakes, ND, testified in support #16163

**Additional written testimony:**

Lyle Krueger, opposed #15163

Denise Jonas, opposed #15198

11:35 AM Chair Elkins closed the hearing.

*Pam Dever, Committee Clerk*

# 2023 SENATE STANDING COMMITTEE MINUTES

**Education Committee**  
Room JW216, State Capitol

SB 2269  
1/25/2023

Relating to the administration of the center for distance education.

10:10 AM Chair Elkin opened the meeting. Present: Chair Elkin, Vice Chair Beard, Sen Axtman, Sen Conley, Sen Lemm, and Sen Wobbema.

### Discussion Topics:

- Committee action

10:15 AM Dr. Alyssa Martin, ND Center for Distance Education, answered questions on amendment 23.0919.01001.

10:23 AM Wayne Sick, ND Department of Career and Technical Education, answered questions on amendment.

Sen Axtman moved a DO PASS on Amendment.

Sen Wobbema seconded the motion.

Roll call taken.

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

VOTE: YES 6 NO 0 Absent 0

Motion PASSED

Sen Axtman moved a DO PASS as Amendment.

Sen Conley seconded the motion.

Roll call taken.

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

VOTE: YES 6 NO 0 Absent 0

Motion PASSED

Sen Axtman will carry the bill.

10:28 AM Chair Elkin closed the meeting.

*Pam Dever, Committee Clerk*

PROPOSED AMENDMENTS TO SENATE BILL NO. 2269

AK  
172  
1-25-2023

- Page 1, line 2, after the first comma insert "and"
- Page 1, line 2, remove ", and 15.1-02-04"
- Page 1, line 9, overstrike "'Administration" includes the leadership of the center for distance education."
- Page 1, line 10, overstrike "2."
- Page 1, line 10, remove the overstrike over "'Board" means the"
- Page 1, line 10, after "education" insert "board of public school education"
- Page 1, line 10, remove the overstrike over the overstruck period
- Page 1, line 11, after "3-" insert "2."
- Page 1, line 12, remove the overstrike over "Director"
- Page 1, line 12, remove "Superintendent"
- Page 1, line 12, remove the overstrike over "director"
- Page 1, line 13, replace "superintendent of public instruction" with "of the center for distance education"
- Page 1, line 22, remove the overstrike over "of public"
- Page 1, line 23, remove the overstrike over "instruction"
- Page 2, line 6, after "superintendent" insert "of public instruction"
- Page 2, line 16, after the first "the" insert "director of the"
- Page 2, line 17, overstrike ". The"
- Page 2, line 18, remove "superintendent"
- Page 2, line 18, overstrike "shall hire administration and staff for the center for distance"
- Page 2, line 19, overstrike "education" and insert immediately thereafter "of public instruction and the board. The director is appointed by and reports to the superintendent of public instruction. The center must have a separate budget and a separate staff from the department of public instruction"
- Page 2, line 19, overstrike "administration of"
- Page 2, line 20, overstrike "the center" and insert immediately thereafter "director"
- Page 2, line 21, overstrike "state"
- Page 2, line 21, overstrike "for career and technical education"
- Page 2, line 22, after "superintendent" insert "of public instruction"
- Page 2, line 23, remove the overstrike over "of public instruction"

Page 2, line 24, overstrike "The"  
Page 2, line 25, remove "superintendent"  
Page 2, line 25, overstrike "shall administer the"  
Page 2, overstrike line 26  
Page 3, line 5, after "superintendent" insert "of public instruction"  
Page 3, line 11, after "superintendent" insert "of public instruction"  
Page 3, line 18, after "superintendent" insert "of public instruction"  
Page 3, line 22, after "superintendent" insert "of public instruction"  
Page 3, line 29, after "superintendent" insert "of public instruction"  
Page 5, remove lines 10 through 31  
Page 6, remove lines 1 through 31  
Page 7, remove lines 1 through 23  
Re-number accordingly

*DR*  
*272*  
*1-25-2023*

**REPORT OF STANDING COMMITTEE**

**SB 2269: Education Committee (Sen. Elkin, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2269 was placed on the Sixth order on the calendar. This bill does not affect workforce development.

Page 1, line 2, after the first comma insert "and"

Page 1, line 2, remove ", and 15.1-02-04"

Page 1, line 9, overstrike "'Administration" includes the leadership of the center for distance education."

Page 1, line 10, overstrike "2."

Page 1, line 10, remove the overstrike over "'Board" means the"

Page 1, line 10, after "education" insert "board of public school education"

Page 1, line 10, remove the overstrike over the overstruck period

Page 1, line 11, after "3:" insert "2."

Page 1, line 12, remove the overstrike over "Director"

Page 1, line 12, remove "Superintendent"

Page 1, line 12, remove the overstrike over "director"

Page 1, line 13, replace "superintendent of public instruction" with "of the center for distance education"

Page 1, line 22, remove the overstrike over "of public"

Page 1, line 23, remove the overstrike over "instruction"

Page 2, line 6, after "superintendent" insert "of public instruction"

Page 2, line 16, after the first "the" insert "director of the"

Page 2, line 17, overstrike ". The"

Page 2, line 18, remove "superintendent"

Page 2, line 18, overstrike "shall hire administration and staff for the center for distance"

Page 2, line 19, overstrike "education" and insert immediately thereafter "of public instruction and the board. The director is appointed by and reports to the superintendent of public instruction. The center must have a separate budget and a separate staff from the department of public instruction"

Page 2, line 19, overstrike "administration of"

Page 2, line 20, overstrike "the center" and insert immediately thereafter "director"

Page 2, line 21, overstrike "state"

Page 2, line 21, overstrike "for career and technical education"

Page 2, line 22, after "superintendent" insert "of public instruction"

Page 2, line 23, remove the overstrike over "of public instruction"

Page 2, line 24, overstrike "The"

Page 2, line 25, remove "superintendent"

Page 2, line 25, overstrike "shall administer the"

Page 2, overstrike line 26

Page 3, line 5, after "superintendent" insert "of public instruction"

Page 3, line 11, after "superintendent" insert "of public instruction"

Page 3, line 18, after "superintendent" insert "of public instruction"

Page 3, line 22, after "superintendent" insert "of public instruction"

Page 3, line 29, after "superintendent" insert "of public instruction"

Page 5, remove lines 10 through 31

Page 6, remove lines 1 through 31

Page 7, remove lines 1 through 23

Renumber accordingly

**2023 HOUSE EDUCATION**

**SB 2269**



# 2023 HOUSE STANDING COMMITTEE MINUTES

**Education Committee**  
Coteau AB Room, State Capitol

SB 2269  
3/14/2023

A BILL for an Act to amend and reenact sections 15-19-00.1, 15-19-01, 15-19-02, 15-19-06, 15-19-08, 15-20.1-03, and 15.1-02-04 of the North Dakota Century Code, relating to the administration of the center for distance education.

3:34 PM

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

## **Discussion Topics:**

- NDIT to CTE to CDE
- Education and Technology Council
- Board of Public School Education
- CTE budget
- DPI budget
- CTE Expanding Courses
- Center for Distance Education (CDE) regulated by DPI

Sen Davison, District 41, introduced SB 2269, oral testimony

Dr Alyssa Martin, Director, ND Distance Education, Testimony #24717, #24718

Wayde Sick, State Director, CTE, Testimony #24192

Kirsten Baesler, State Superintendent, DPI, Testimony #24917

Michael Heilman, Executive Director, ND Small Organized Schools, Testimony #24923

3:56 PM Chairman Heinert closed the hearing.

*Kathleen Davis, Committee Clerk*

# 2023 HOUSE STANDING COMMITTEE MINUTES

**Education Committee**  
Coteau AB Room, State Capitol

SB 2269  
3/27/2023

A BILL for an Act to amend and reenact sections 15-19-00.1, 15-19-01, 15-19-02, 15-19-06, 15-19-08, 15-20.1-03, and 15.1-02-04 of the North Dakota Century Code, relating to the administration of the center for distance education.
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3:32 PM

Chairman Heinert opened the 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:

- Committee action

Representative Schreiber-Beck moved a Do Pass, seconded by Rep Murphy.

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	Y
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	Y

**14-0-0 Motion carried. Rep Schreiber-Beck will carry the bill.**

3:37 PM Meeting adjourned.

*Kathleen Davis, Committee Clerk*

**REPORT OF STANDING COMMITTEE**

**SB 2269, as engrossed: Education Committee (Rep. Heinert, Chairman)** recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2269 was placed on the Fourteenth order on the calendar.

**TESTIMONY**

**SB 2269**



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Suite A  
Bismarck, ND 58501  
[www.cractc.org](http://www.cractc.org)  
701-415-0453

January 22, 2023

Members of the North Dakota Senate Education Committee

RE: Opposition for SB2269 - Relating to the administration of the center for distance education.

Dear Chairman Elkin and members of the Senate Education Committee. I am reaching out to you in opposition of SB2269 as currently written.

North Dakota Center for Distance Education (ND CDE) is an interesting and eclectic tool within the North Dakota educational ecosystem. They currently receive direct allocation funds from the State to support North Dakota public, private, and homeschool students, along with out of state entities and individuals, within various coursework areas such as core academics (i.e. Math, Science, English, Social Studies, etc.), world languages (i.e. Spanish, German, French, American Sign Language, etc.), elective courses (i.e. Music, Art, etc.), and Career and Technical Education (CTE) courses (i.e. Agriculture, Family & Consumer Sciences, Computer Education, etc.).

The overall merit to move the Center for Distance Education from the North Dakota Department of Career and Technical Education over to the North Dakota Department of Public Instruction (ND DPI) is there. However, it is important to realize, currently ND CDE serves under the authority of the North Dakota Department of Career and Technical Education State Board comprised of local, State, and industry leaders. Unfortunately, as currently written, this bill presented to you provides complete organizational and governance authority to the Superintendent of Public Instruction, establishing a new precedent. Moreover, precedent has already been set with educational entities such as the North Dakota School for the Blind and North Dakota School for the Deaf, in which each have their own local boards to help support, guide, and manage their operations, processes, and organizational expectations, yet still serve under ND DPI.

Per the precedence already established by the organizational and operational function of the North Dakota School for the Deaf and North Dakota School for the Blind currently under the ND DPI, considering the ND Center for Distance Education's eclectic structure, I would strongly encourage you to set forth amendments in this bill that would require ND CDE to have their own governance board, with required representations from key local stakeholders on the board including small and large public school administration, a career and technical education center director, a regional education association director, a two-year higher education institution (due to dual credit involvement), and other applicable state leadership that have experience and background knowledge related with the various educational programs associated with the North Dakota Center for Distance Education.

Thank you for your time and consideration of my testimony and recommendations for amendments to this bill.

Sincerely,  
*Lyle P. Krueger*

Lyle P. Krueger  
Assistant Director  
Central Regional Area Career and Technical Education Center

Dale Hoerauf, Director  
[Dale\\_Hoerauf@bismarckschools.org](mailto:Dale_Hoerauf@bismarckschools.org)

Lyle Krueger, Assistant Director  
[Lyle.krueger@k12.nd.us](mailto:Lyle.krueger@k12.nd.us)

Amy Johnson, Registrar  
[Cractc.online@k12.nd.us](mailto:Cractc.online@k12.nd.us)



January 22, 2023

Members of the North Dakota Senate Education Committee

RE: **Opposition for SB2269** - Relating to the administration of the ND Center for Distance Education.

Dear Chairman Elkin and members of the Senate Education Committee, I am reaching out in opposition of SB2269 as currently written.

North Dakota Center for Distance Education is an eclectic agency within the North Dakota educational ecosystem, providing distance education opportunities to students around the world since 1935. According to the NDCTE purpose statement:

- *NDCDE does not work alone. It relies on teachers, schools, curriculum providers, software providers, parents, government officials, and citizens to partner with NDCDE for the benefit of students.*
- *NDCTE, in partnership with all members of the education community, seeks to add value to each student.*

Overall, I believe there is merit to move the ND Center for Distance Education (NDCDE) oversight from the North Dakota Department of Career and Technical Education (NDCTE) to the North Dakota Department of Public Instruction (NDDPI), as coursework delivered under NDCTE aligns with core academics monitored by ND DPI. There is also precedence for such a model from existing educational entities such as the North Dakota School for the Blind and North Dakota School for the Deaf.

NDCDE currently receives direct state funding, along with spending authority for fees charged for coursework, to support North Dakota public, private, and homeschool students, along with out-of-state entities and individuals. A wide range of coursework is offered through NDCTE including, (i.e. Math, Science, English, Social Studies, etc.), world languages (i.e. Spanish, German, French, American Sign Language, etc.), elective courses (i.e. Music, Art, etc.), and Career and Technical Education (CTE) courses (i.e. Agriculture, Family & Consumer Sciences, Computer Education, etc.).

However, my opposition to SB2269 as written, is language that provides complete organizational and governance authority to the Superintendent of Public Instruction. I feel this limits input and broader representation from the field and could have lasting implications on partner organizations without collection decision-making model.

I would be supportive of SB2269 if amendments were added to create a NDCDE governance or advisory board. Rationale, 1) this would align to precedence already established by the North Dakota School for the Deaf and North Dakota School for the Blind, 2) it would also provide a mechanism for stakeholder input from the field, and 3) it would provide neutrality between agencies, such as NDPI, NDCTE, and others involved in NDCDE for distance education.

The board could be comprised of representations from small school administration, large school administration, career and technical education, department of public instruction, regional education association, a two-year and four-year higher education, and small rural schools' associations. All have knowledge associated with NDCDE and are impacted by decisions related to this organization.

I would strongly recommend amendments to SB2269 to provide language to establish a North Dakota Center for Distance Education governance board for decision authority with oversight under the NDDPI.

Sincerely,  
Dr. Denise Jonas



## **Testimony House Bill 2269 – Senate Education Committee**

**Senator Elkin, Chairman**

**January 23, 2023**

Chair Elkin and members of the Senate Education Committee, for the record, my name is Dr. Alyssa Martin. I am the director of the North Dakota Center for Distance Education (CDE). I am here to support this bill with a request for a few friendly amendments developed and mutually agreed to by the Department of Public Instruction (DPI), Department of Career and Technical Education (CTE), and CDE.

CDE has been governed by several state agencies during its 88-year history, with each move intended to help the organization strengthen aspects of services or its overall operations. CDE is currently under the Department of Career and Technical Education (CTE), where it was moved in 2019 with the aim of CDE enhancing its CTE courses and identifying ways to partner with local CTE Centers. Then, in 2020, a pandemic hit. CDE shifted its focus to providing virtual education to nearly every school district in the state, adding a full elementary curriculum as part of the process and tipping the CDE course portfolio from 47% core courses, 3% electives, and 50% CTE courses to 55% core courses, 13% electives and fine arts, and 32% CTE courses. More recently, CDE has also been engaged in future planning and decided to focus on growth in our elementary and diploma programs, improving course quality through moving to standards-based learning, and helping students become choice ready through efforts such as expanding our dual credit courses. These changes in our portfolio of course offerings and our goals for the next biennium align closely with DPI's mission and goals. Upon introduction of this bill, CDE also checked with one of its national affiliate organizations, the Digital Learning Collaborative, on which state agency typically governs state-funded virtual schools in other states, finding that departments of education govern the vast majority. It's for these reasons that CDE, though it strongly values its relationship with CTE, believes that SB 2269 rightly moves CDE under the appropriate parent agency, the Department of Public Instruction.

As mentioned, CDE worked with DPI and CTE to draft amendments to this bill to ensure appropriate accountability structures are in place, to ensure the superintendent of public instruction's scope of oversight over CDE paralleled that of her supervisory authority over the School for the Blind, and to help clarify terminology throughout the bill. The amendments are included with my previously submitted testimony. To summarize them:

- Under the definitions section, we removed a vague reference to CDE administration, replaced it with the director, and updated the board definition to refer to the Board of Public Education instead of the CTE board. We decided that for clarity, any reference to the Superintendent of Public Instruction throughout this chapter of law should include this full title.
- On page two, lines 16-22, we updated the language to clarify that the Superintendent of Public Instruction hires the director of CDE, who is, in turn, responsible for overseeing

CDE operations; that the Board of Public Education approves CDE's operations; and the CDE staff and budget are independent of DPI-- language that mirrors the description of the School for the Blind's organizational structure in law. Incidentally, CDE was once governed by the Board of Public Education, and this is still reflected in Administrative Code section 68-01-01-01 (2). However, this section of code refers to CDE under its old name, the Division of Independent Study.

- The remainder of our edits add the phrase "public instruction" after superintendent for clarification purposes throughout the bill. We're also recommending that 15.1-02-04 not be amended as initially proposed. This section of law relates to the Superintendent of Public Instruction's duties, which we did not think needed amendment since this position's responsibilities over CDE are fully outlined in NDCC Ch. 15-19 under our proposed amendments and consequently do not need to be referenced again in another chapter of law.

Due to its changes in services and its long-term goals, CDE believes that DPI should serve as its parent state agency. This alignment will help provide the support CDE needs to continue its growth and delivery of quality online education for years to come.



## PROPOSED AMENDMENTS TO SENATE BILL 2269

Page 1, line 2, after “15-19-08,” insert “and”, remove “and “15.1-02-04”

Page 1, line 9, remove “administration includes the leadership of the center for distance education”

Page 1, line 10, remove overstrike over “~~Board means the~~” and insert “board of public school education”

Page 1, line 12, remove overstrike over “~~director,~~” remove “superintendent,” remove overstrike of “director,” remove “superintendent of public instruction,” insert “of the center for distance education”

Page 1, lines 22-23, remove overstrike over “~~of public instruction~~”

Page 2, line 6, after “superintendent”, insert “of public instruction”

Page 2, line 16, after “the responsibility of the” insert “director of the”

Page 2, line 17, after “superintendent”, insert “of public instruction and the board. The director is appointed by and reports to the superintendent of public instruction. The center must have a separate budget and separate staff from the department of public instruction”, remove “The”

Page 2, line 18, remove “superintendent shall hire administration and staff for the center for distance”

Page 2, line 19, remove “education”

Page 2, lines 19-20, replace “administration of the center” with “director”

Page 2, line 21, replace “state board for career and technical education” with “board”

Page 2, line 22, after “superintendent,” insert “of public instruction.”

Page 2, line 23, remove overstrike over “of public instruction”

Page 2, lines 24-26, remove “~~The state board for career and technical education superintendent shall administer the responsibilities of the board of a school district relating to the center for distance education.~~”

Page 3, lines 5, 11, 18, 22, and 29, after “superintendent,” insert “of public instruction”

## PROPOSED AMENDMENTS TO SENATE BILL 2269

Page 6, lines 21-22, remove “Shall administer and supervise the program and all activities of the center for distance education.”

Page 7, lines 22-23, remove “Shall administer and supervise the program and all activities of the center for distance education.”

23.0919.01000

Sixty-eighth  
Legislative Assembly  
of North Dakota

**SENATE BILL NO. 2269**

Introduced by

Senators Davison, Schaible, Sorvaag

Representatives Bosch, Heinert, Monson

1 A BILL for an Act to amend and reenact sections 15-19-00.1, 15-19-01, 15-19-02, 15-19-06,  
2 15-19-08, ~~and 15-20.1-03, and 15.1-02-04~~ of the North Dakota Century Code, relating to the  
3 administration of the center for distance education.

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

5 **SECTION 1. AMENDMENT.** Section 15-19-00.1 of the North Dakota Century Code is  
6 amended and reenacted as follows:

7 **15-19-00.1. Definitions.**

8 In this chapter, unless the context otherwise requires:

- 9 1. ~~"Administration" includes the leadership of the center for distance education.~~  
10 2. ~~"Board" means the board of public school education.~~ "Board" means the state board for  
11 career and technical education.  
12 3. "Center" means the North Dakota center for distance education.  
13 4. ~~3. "Director~~~~Director~~~~Superintendent"~~ means the director of the center for distance  
education ~~director and executive officer of the department of~~  
14 career and technical ~~educations~~superintendent of public instruction.

14 **SECTION 2. AMENDMENT.** Section 15-19-01 of the North Dakota Century Code is  
15 amended and reenacted as follows:

16 **15-19-01. North Dakota center for distance education courses - Establishment -**  
17 **Enrollment of students - Courses of instruction.**

18 The state shall provide kindergarten through grade twelve courses, comprehensive  
19 educational support, and high school diplomas through the center for distance education under  
20 the following provisions:

- 21 1. A complete curriculum prescribed by state-mandated education accreditation entities  
22 which meets the requirements for digital education the superintendent of public  
instruction ~~of public~~  
23 ~~instruction~~ has determined to be appropriate.

- 1 2. A superintendent or an administrator of a school may deny the enrollment of a student
- 2 in that district at the center for distance education except as provided in subsection 5.
- 3 3. The center for distance education may provide services to persons who are not North
- 4 Dakota residents.
- 5 4. Center for distance education students shall pay fees as may be prescribed by the
- 6 ~~state board for career and technical education superintendent of public instruction.~~
- 7 5. Students exempt from the compulsory school attendance laws pursuant to
- 8 subdivision e of subsection 1 of section 15.1-20-02 may enroll in distance education
- 9 courses offered through the center for distance education. These students may study
- 10 their center for distance education lessons in their learning environment under the
- 11 supervision of a parent.

12 **SECTION 3. AMENDMENT.** Section 15-19-02 of the North Dakota Century Code is  
13 amended and reenacted as follows:

14 **15-19-02. Administration Center for distance education - Appointment and duties.**

15 The program of and all activities related to the center for distance education are the  
16 responsibility of the ~~state board for~~ director of the center for distance education and under the authority of the

17 ~~career and technical education superintendent of public instruction and the board. The director is~~  
~~appointed by and reports to the superintendent of public instruction. The center must have a~~  
~~separate budget and separate staff from the department of public instruction. The director of the~~  
~~department of career and~~

18 ~~technical education superintendent shall hire administration and staff for the center for distance~~

19 ~~education~~ who must be classified under the state personnel merit system. The ~~administration of~~

20 ~~the center~~ director shall carry out the responsibilities in operating the center for distance education  
in

21 ~~the manner approved by the~~ state board for career and technical education board, under the

22 ~~supervision of the director of the department of career and technical education superintendent of~~  
public instruction,

23 ~~and compliant with requirements established by the superintendent of public instruction of public~~  
instruction and the

24 ~~education standards and practices board for public school administrators and teachers. The~~

25 ~~state board for career and technical education superintendent shall administer the~~

26 ~~responsibilities of the board of a school district relating to the center for distance education.~~

27 **SECTION 4. AMENDMENT.** Section 15-19-06 of the North Dakota Century Code is

28 amended and reenacted as follows:

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1 **15-19-06. Special funds - Deposit of collections - Transfers from general fund**  
2 **appropriations.**

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3 1. A special operating fund for the center for distance education must be maintained  
4 within the state treasury and all income and fees collected by the center for distance  
5 education from any source must be remitted monthly by the ~~director~~superintendent of  
public instruction to  
6 the state treasurer and credited to the special operating fund. All expenditures from the  
7 fund must be within the limits of legislative appropriations and must be made upon  
8 vouchers, signed and approved by the director. Upon approval of the vouchers by the  
9 office of the budget, warrant-checks must be prepared by the office of management  
10 and budget.

11 2. The ~~state board for career and technical education~~superintendent of public instruction  
may establish an  
12 endowment and scholarship fund to provide financial grants to students enrolled in  
13 courses offered through the center for distance education. The endowment and  
14 scholarship fund may consist only of those funds specifically appropriated by the  
15 legislative assembly and property received by the center for distance education as a  
16 gift, devise, or bequest. Any gift, devise, or bequest of property received by the center  
17 for distance education which is designated by the ~~state board for career and technical~~  
18 ~~education~~superintendent of public instruction and donor for the endowment and  
scholarship fund must be  
19 deposited in the scholarship fund at the Bank of North Dakota. The center for distance  
20 education may draw on the endowment and scholarship fund for the award of  
21 endowments and scholarships within the limits and rules adopted by the ~~state board~~  
22 ~~for career and technical education~~superintendent of public instruction.

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23 **SECTION 5. AMENDMENT.** Section 15-19-08 of the North Dakota Century Code is  
24 amended and reenacted as follows:

25 **15-19-08. Distance education support and services.**

26 The amount of money appropriated by the legislative assembly for distance education  
27 support and services for a biennium, or so much thereof as may be necessary, must be  
28 expended first for work provided by distance education as determined by the center for distance  
29 education and approved by the ~~state board for career and technical education~~superintendent of  
public instruction.

30 **SECTION 6. AMENDMENT.** Section 15-20.1-03 of the North Dakota Century Code is  
31 amended and reenacted as follows:

1       **15-20.1-03. Powers and duties of state board relating to career and technical**  
2 **education.**

3       The state board shall have all authority necessary to cooperate with the United States  
4 department of education or other department or agency of the United States of America in the  
5 administration of acts of Congress relating to career and technical education, including the  
6 following powers and duties:

- 7       1. To administer any legislation enacted by the legislative assembly of this state pursuant  
8       to or in conformity with acts of Congress relating to career and technical education.
- 9       2. To administer the funds provided by the federal government and by this state for the  
10       promotion of career and technical education and to contract with:
  - 11       a. Any public or private institution or agency, board of trustees of any agricultural  
12       and training school, or school district of this state; or
  - 13       b. Any public or private institution or agency, or political subdivision, of another  
14       state.
- 15       3. To formulate plans for the promotion of career and technical education in such  
16       subjects as are an essential and integral part of the public school system of education  
17       in this state.
- 18       4. To provide for the preparation of teachers.
- 19       5. To fix the compensation of such officers and assistants as may be necessary to  
20       administer the federal acts and the provisions of this chapter relating to career and  
21       technical education and to pay the same and other necessary expenses of  
22       administration from any funds appropriated for such purpose.
- 23       6. To make studies and investigations relating to career and technical education.
- 24       7. To promote and aid in the establishment of schools, departments, or classes, and to  
25       cooperate with local communities in the maintenance of career and technical  
26       education schools, departments, or classes.
- 27       8. To prescribe the qualifications and provide for the certification of teachers, directors,  
28       and supervisors.
- 29       9. To cooperate with governing bodies of school districts and with organizations and  
30       communities in the maintenance of classes for the preparation of teachers, directors,  
31       and supervisors of career and technical education, to maintain classes for such

1 purposes under its own direction and control, and to establish and control, by general  
2 regulations, the qualifications to be possessed by persons engaged in the training of  
3 career and technical education teachers.

4 10. To coordinate new and existing farm management programs offered by any state  
5 agency or entity.

6 11. To create and expand marketing clubs as adjuncts to new and existing farm  
7 management programs.

8 ~~12. To administer and supervise the program and all activities of the center for distance  
9 education.~~

10 **SECTION 7. AMENDMENT.** Section 15.1-02-04 of the North Dakota Century Code is  
11 amended and reenacted as follows:

12 **15.1-02-04. Superintendent of public instruction - Duties. (Effective through June 30,**  
13 **2023)**

14 The superintendent of public instruction:

- 15 1. Shall supervise the provision of elementary and secondary education to the students  
16 of this state.
- 17 2. Shall supervise the establishment and maintenance of schools and provide advice and  
18 counsel regarding the welfare of the schools.
- 19 3. Shall supervise the development of course content standards.
- 20 4. Shall supervise the assessment of students.
- 21 5. Shall serve as an ex officio member of the board of university and school lands.
- 22 6. Shall keep a complete record of all official acts and appeals.
- 23 7. As appropriate, shall determine the outcome of appeals regarding education matters.
- 24 8. Shall direct school district annexation, reorganization, and dissolution and employ and  
25 compensate personnel necessary to enable the state board of public school education  
26 to carry out its powers and duties regarding school district annexation, reorganization,  
27 and dissolution.
- 28 9. Shall facilitate a process to review and update annually the statewide prekindergarten  
29 through grade twelve education strategic vision. The process must include input and  
30 participation from a steering committee that includes representatives of all state-level  
31 entities receiving state education funding and education stakeholder groups. Each

Sixty-eighth  
Legislative Assembly

- 1 steering committee member entity receiving state education funds shall provide  
2 components of the entity's strategic plan which are aligned to the statewide strategic  
3 vision. The steering committee shall prepare a collaborative report of the strategic  
4 plans of each committee member entity receiving state education funds. The  
5 superintendent shall provide the collaborative report and any updates to the strategic  
6 vision to the legislative management during each interim and to a joint meeting of the  
7 education standing committees during each regular legislative session.
- 8 10. Shall administer a student loan forgiveness program for individuals teaching at grade  
9 levels, in content areas, and in geographical locations identified as having a teacher  
10 shortage or critical need.
- 11 11. Shall facilitate the development and implementation of a North Dakota learning  
12 continuum in collaboration with the department of career and technical education,  
13 upon the recommendation of the kindergarten through grade twelve education  
14 coordination council.
- 15 12. Shall collaborate with workforce development stakeholders and the kindergarten  
16 through grade twelve education coordination council to determine how best to  
17 integrate computer science and cybersecurity into elementary, middle, and high school  
18 curriculum under sections 15.1-21-01 and 15.1-21-02. Before September 1, 2022, the  
19 superintendent shall provide a report to the legislative management regarding the  
20 outcome of this collaboration.

~~21 13. Shall administer and supervise the program and all activities of the center for distance  
22 education.~~

**2321 Superintendent of public instruction - Duties. (Effective after June 30, 2023)**

2422 The superintendent of public instruction:

- 2523 1. Shall supervise the provision of elementary and secondary education to the students  
2624 of this state.
- 2725 2. Shall supervise the establishment and maintenance of schools and provide advice and  
2826 counsel regarding the welfare of the schools.
- 2927 3. Shall supervise the development of course content standards.
- 3028 4. Shall supervise the assessment of students.
- 3129 5. Shall serve as an ex officio member of the board of university and school lands.



Sixty-eighth  
Legislative Assembly

- 1       6. Shall keep a complete record of all official acts and appeals.
- 2       7. As appropriate, shall determine the outcome of appeals regarding education matters.
- 3       8. Shall direct school district annexation, reorganization, and dissolution and employ and
- 4       compensate personnel necessary to enable the state board of public school education
- 5       to carry out its powers and duties regarding school district annexation, reorganization,
- 6       and dissolution.
- 7       9. Shall facilitate a process to review and update annually the statewide prekindergarten
- 8       through grade twelve education strategic vision. The process must include input and
- 9       participation from a steering committee that includes representatives of all state-level
- 10      entities receiving state education funding and education stakeholder groups. Each
- 11      steering committee member entity receiving state education funds shall provide
- 12      components of the entity's strategic plan which are aligned to the statewide strategic
- 13      vision. The steering committee shall prepare a collaborative report of the strategic
- 14      plans of each committee member entity receiving state education funds. The
- 15      superintendent shall provide the collaborative report and any updates to the strategic
- 16      vision to the legislative management during each interim and to a joint meeting of the
- 17      education standing committees during each regular legislative session.
- 18      10. Shall facilitate the development and implementation of a North Dakota learning
- 19      continuum in collaboration with the department of career and technical education,
- 20      upon the recommendation of the kindergarten through grade twelve education
- 21      coordination council.
- ~~22      11. Shall administer and supervise the program and all activities of the center for distance~~
- ~~2322      education.~~



**Senate Education  
SB2269**

**January 23, 2023**

Chairman Elkin and members of the Senate Education, my name is Wayde Sick, State Director for the Department of Career and Technical Education. I am submitting testimony in support for SB2269 and the amendments provided by Dr. Martin.

As you are aware, in the 2019 Legislative Assembly, the Center for Distance Education (NDCDE) was moved from the North Dakota Information Technology Department (NDIT) to the Department of Career and Technical Education. It was moved from NDIT for a number of reasons, but mostly for the following:

- 1) It needed to be moved to an agency whose focus is education. Education is not the primary focus of NDIT.
- 2) NDCDE as an approved school, needed to have a Governance Board. The State Board for Career and Technical Education served that role.
- 3) There was a perceived duplication of efforts between NDCDE and virtual Career and Technical Education provided by our local Career and Technology Centers.

I believe we have made positive steps to address duplication. First, after careful study, duplication is not as concerning as first perceived. Secondly, because of this review and under Dr. Martin's leadership, a deep review of the CTE coursework offered by NDCDE is underway. This will only improve on the good work NDCDE is doing, eliminate any unnecessary duplication, and provide for future partnerships with local CTE Centers.

Although, it is unfortunate to see the potential of the phenomenal employees at NDCDE move to another agency, I am confident if SB2269 would pass, with the proposed amendments, I would gain a valuable partner at NDCDE. The mission of NDCDE does more closely align with the mission of Department of Public Instruction, as they continue to expand their reach and offerings throughout the entire K12 community. Their increased emphasis on elementary education and core curriculum and the potential decrease in programming in CTE coursework due to the State's investment in more access to CTE through the CTE Capital Projects Program makes now the right time to discuss a transition of NDCDE to the Department of Public Instruction.

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

**Senate Bill 2269 Testimony**  
**Senator Kyle Davison**  
**January 23<sup>rd</sup>, 2023**

Good Morning, I'm Senator Kyle Davison from District 41 representing south Fargo. I'm here today in support of moving the supervision of the Center for Distance Education from CTE to DPI.

I think some historical background is in order. The Center for Distance Education has its roots in the 1930s. The Division of Correspondence Study was founded in 1935. It was located on the North Dakota Agricultural College campus in Fargo. North Dakota was the first state to create and fund a program of supervised correspondence study. It was a high school by mail. The program was designed to meet the needs of students in small towns and remote farms.

The Center for Distance Education has had several names. In 2001 it was known as the Division of Independent Study. In 2001, the Legislature transferred the division to the newly created Educational Technology Council, which was part of the Information Technology Department. (SB2251 in the 2001 Legislature). In 2019, the Center for Distance Education was made part of the Board for Career and Technical Education. (SB2216 in the 2019 Legislature).

The Board of Career and Technical Education and the director of the Department of Career and Technical Education support this bill. So do the Center of Distance Education director and the State Superintendent.

When the Center for Distance Education first came under the umbrella of Career and Technical Education, its work was divided roughly 50-50 between academic education and CTE. Now, most of the Center's work is on academic education, and its portfolio is likely to expand to include kindergarten. There is also a much greater general emphasis on virtual education in North Dakota. We've come a long way from the days of the Great Depression and mailing lessons back and forth.

Given this change in emphasis, making the CDE part of the Department of Public Instruction makes sense, and the affected stakeholders agree.

**Testimony of Kirsten Baesler**  
**North Dakota Superintendent of Public Instruction**  
**Senate Education Committee**  
**In Support of SB 2269**  
**Monday, Jan. 23, 2023**

Chairman Elkin and members of the Senate Education Committee, good morning.

My name is Kirsten Baesler, and I am the North Dakota Superintendent of Public Instruction. The State Superintendent is the Constitutional Officer granted the authority to oversee K-12 education in North Dakota.

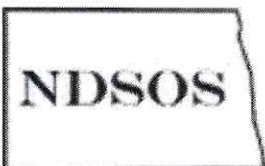
I am here to speak in support of Senate Bill 2269.

The administrative structure outlined in Senate Bill 2269 is similar to the Department of Public Instruction's relationship to two other state schools – the School for the Blind & Vision Services in Grand Forks and the School for the Deaf & Hard of Hearing in Devils Lake, as well as the State Library in Bismack. The State Superintendent hires and supervises the heads of those institutions. They have separate budgets and staff but they often benefit from the infrastructure of our agency including HR, fiscal and procurement if desired. Their budgets are heard separately each biennium as part of the Department of Public Instruction budget bill that includes state funding for our local schools.

Director Sick, Dr. Martin and I sat down and reviewed this bill together making the suggested amendments as a team with the interest of students' and their future at the center of our discussion. We agreed that this change will help provide opportunities for children in all grade levels across the state. CTE, CDE and DPI have developed a strong cross-agency team and this change will only strengthen our ability to better partner with each other in service to students.

Chairman Elkin and members of the committee, I ask for your Do Pass recommendation on Senate Bill 2269 with the friendly amendments that have been proposed.

I welcome any questions you may have.



# North Dakota Small Organized Schools

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SB 2269 -Testimony In Support  
Senate Education Committee  
Senator Elkin – Chairperson  
January 23, 2023

North Dakota Small Organized Schools stands in support of SB 2269 with the introduced amendments. The ND CDE has long been an important partner of North Dakota’s schools. Once a way for schools to enhance their curriculum or add key electives, the CDE has become the source of required curriculum for some of our schools. As teacher shortages have become more of a factor our schools, especially NDSOS members have found CDE to be a valued partner in the education of North Dakota’s students.

NDSOS has at the core of our mission the preservation of local control, believing decisions should be made closest to those impacted as possible. In the same way NDSOS would support a ND CDE Board of Education that would have decision making authority for the ND CDE. We would also recommend that the CDE Board have representation from small schools, large schools, regional education associations, higher education and other applicable education leadership within the state.

With these considerations and the support of Dr. Alyssa Martin and CTE Director Mr. Wayde Sick, NDSOS stands in support of SB 2269.

Mr. Michael Heilman – Executive Director  
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### Board of Directors

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Mr. Brandt Dick, Supt. Burleigh County

**Region 6**  
Mr. Mitch Carlson, Supt. LaMoure  
Dr. Steven Johnson, Supt. Lisbon

The mission of NDSOS is to provide leadership for the small/rural schools in North Dakota and to support legislation favorable to their philosophy while opposing legislation that is harmful.

Testimony before the ND Senate Education Committee  
RE: SB 2269

Chairman Elkin, Vice Chairman Beard, and members of the committee:

I'm Sonia Meehl from Oakes. I'm in my ninth year on and currently the chairman of both the State Boards of Public School Education and Career and Technical Education.

The seven-member PSE Board is the state Superintendent of Public Instruction, plus six individuals appointed by the governor, one from each of six regions, two of whom must be members of ND School boards association. The bulk of our work is acting on school district annexations, reorganizations, and dissolutions. The CTE Board is made up of those seven members plus the Chancellor of Higher Education and the Director of ND Job Service.

I was on these boards when the Center for Distance Education was assigned to the CTE Board in 2019. I admit that it seemed to me to be a bit out of place under the CTE board, but nonetheless, I think the Center has flourished while under our supervision. At that time, the previous long-time director had stepped down, so our first task was to hire a new director. WE did so, and in less than a year, demands on the Center exploded with unprecedented distance-education needs due to the pandemic. The Center successfully navigated that challenge. Since 2021, enrollment has declined somewhat, but is still higher than pre-pandemic. Dr. Martin was recently hired as our second new director and is proving to be a capable and visionary leader for the Center.

If the Center remains under the CTE board, we'll continue to do our best to position the Center to fulfill its educational mission. If the Center is placed elsewhere, we will strive to ensure a smooth transition to its new home. We will collaborate with the Center where needed, and continue with our mission *to work with others to provide North Dakotans with the technical skills, knowledge, and attitudes necessary for successful performance in a globally competitive workplace.*



**House Education  
SB2269**

**March 14, 2023**

Chairman Heinert and members of the House Education, my name is Wayde Sick, State Director for the Department of Career and Technical Education. I am submitting testimony in support for SB2269.

As you may be aware, in the 2019 Legislative Assembly, the Center for Distance Education (NDCDE) was moved from the North Dakota Information Technology Department (NDIT) to the Department of Career and Technical Education. It was moved from NDIT for a number of reasons, but mostly for the following:

- 1) It needed to be moved to an agency whose focus is education. Education is not the primary focus of NDIT.
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- 3) There was a perceived duplication of efforts between NDCDE and virtual Career and Technical Education provided by our local Career and Technology Centers.



I believe we have made positive steps to address duplication. First, after careful study, duplication is not as concerning as first perceived. Secondly, because of this review and under Dr. Martin's leadership, a deep review of the CTE coursework offered by NDCDE is underway. This will only improve on the good work NDCDE is doing, eliminate any unnecessary duplication, and provide for future partnerships with local CTE Centers.

Although, it is unfortunate to see the potential of the phenomenal employees at NDCDE move to another agency, I am confident if SB2269 would pass, I would gain a valuable partner at NDCDE. The mission of NDCDE does more closely align with the mission of Department of Public Instruction, as they continue to expand their reach and offerings throughout the entire K-12 community. Their increased emphasis on elementary education and core curriculum and the potential decrease in programming in CTE coursework due to the State's investment in more access to CTE through the CTE Capital Projects Program makes now the right time to discuss a transition of NDCDE to the Department of Public Instruction.

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



## **Testimony House Bill 2269 – House Education Committee**

**Chairman Heinert**

**March 14, 2023**

Chair Heinert and members of the House Education Committee, for the record, my name is Dr. Alyssa Martin. I am the director of the North Dakota Center for Distance Education (CDE). I am here to support this bill and will focus my testimony today on why we believe this move is in the best interest of the schools and students we serve. I'll also provide some context on the efforts we've already been making to ensure this transition, if approved, is seamless and provide information on how CDE will be governed and operate under this new legislation.

CDE has been governed by several state agencies during its 88-year history, with each move intended to help the organization strengthen aspects of services or its overall operations. CDE is currently under the Department of Career and Technical Education (CTE), where it was moved in 2019 with the aim of CDE enhancing its CTE courses and identifying ways to partner with local CTE Centers. Then, in 2020, a pandemic hit. CDE shifted its focus to providing virtual education to nearly every school district in the state, adding a full elementary curriculum as part of the process and tipping the CDE course portfolio from 47% core courses, 3% electives, and 50% CTE courses to 55% core courses, 13% electives and fine arts, and 32% CTE courses. More recently, CDE has also been engaged in future planning and decided to focus on growth in our elementary and diploma programs, improving course quality through moving to standards-based learning and helping students become choice ready through efforts such as expanding our dual credit courses. These changes in our portfolio of course offerings and our goals for the next biennium align closely with DPI's mission and goals. Upon introduction of this bill, CDE also checked with one of its national affiliate organizations, the Digital Learning Collaborative, on which state agency typically governs state-funded virtual schools in other states, finding that departments of education govern the vast majority. It's for these reasons that CDE, though it strongly values its relationship with CTE, believes that SB 2269 rightly moves CDE under the appropriate parent agency, the Department of Public Instruction.

To help ensure that the bill would meet the needs of all our stakeholders, CDE worked with DPI and CTE to draft amendments to this bill to ensure appropriate accountability structures are in place, to ensure the superintendent of public instruction's scope of oversight over CDE paralleled that of her supervisory authority over the Schools for the Blind and Deaf, and to help clarify terminology throughout the bill. The Senate approved those amendments, and a detailed summary of them is included with my testimony submitted to the Senate Education Committee. In addition to ensuring we had stakeholder support on the language in the bill, CDE, DPI, and CTE prepared a joint FAQ document addressing common questions we received about the transition. I have included that document with my testimony. We held virtual information sessions for CTE center directors and all the CDE employees. Director Sick and I have also been fielding emails and calls to help provide additional information on the bill. The most

frequent question asked is how the transition will impact CDE's relationship with CTE. Many of our schools enroll students in CTE courses through CDE. Our answer is this—the relationship between CTE and CDE is strong and will remain so. Director Sick and I will continue to correspond on shared interests, and he has invited me to attend his director meetings, which I plan to do. We are working on a cataloging project to ensure all the virtual CTE courses are listed online in one place. That project continues. We will look for future opportunities to collaborate and work together efficiently wherever possible. However, because CDE is a school, governed by DPI and its administrative rules on virtual education, it makes good sense for CDE to move under the agency that regulates it.

Under DPI, CDE will continue operating under a director and maintain its own staff and budget—just like School for the Deaf and School for the Blind. The Superintendent of Public Instruction oversees the director. The Board of Public School Education—a board with many members who also serve on the CTE board (CDE's current governing board)—will oversee CDE's governance. In conversations with the School for the Blind, CDE will also institute an advisory board with members vested in our operations such as students, families, members of Small Organized Schools, CTE directors, and representatives from other state agencies. This board will provide input on our planning and strategic direction based on our assessment data and other metrics we use to measure our progress and success.

Due to its changes in services and its long-term goals, CDE believes that DPI should serve as its parent state agency. This alignment will help provide the support CDE needs to continue its growth and delivery of quality online education for years to come. CDE, DPI, and CTE are working in cooperation to ensure this transition is supported by our stakeholders and positions CDE well to continue to provide quality online education to the students of this state.



# SB 2269 FAQs



NORTH DAKOTA DEPARTMENT OF  
PUBLIC INSTRUCTION

## What does this bill do?

The bill moves the Center for Distance Education (CDE), which is currently under the Department for Career and Technical Education (CTE), under the Department of Public Instruction (DPI).

## Why is CDE, CTE, & DPI supporting the bill?

CDE is a state school that provides a full K-12 curriculum and a diploma program. CDE added elementary education in 2020, shifting the balance of its course portfolio from 50% core and 50% CTE to slightly over 30% CTE and the remaining 70% core courses and electives. CDE is better aligned under DPI because it is a state school; DPI oversees the School for the Blind and the School for the Deaf.

## Who will govern CDE operations under this change?

The Board of Public Education and Superintendent of Public Instruction have general oversight of CDE; the director manages day-to-day operations, with an assistant superintendent and principal in charge of school operations. Though not in the bill, CDE also plans to create an advisory board. The bill does not change the requirements that CDE receive school approval and maintain accreditation--steps CDE has and will continue to take to ensure quality instruction and services.

## What will happen to CDE's budget and its authority to set and assess fees for its courses?

CDE's budget will be moved under DPI, but SB 2269 requires this budget to be held and maintained separately from DPI's. CDE will continue to set and assess tuition based on its budget needs in consultation with stakeholders like Small Organized Schools. The ND Legislature will approve CDE's budget, just as it does for the School for the Blind and the School for the Deaf.

# **SB 2269 FAQs, continued**

## **Is this bill an effort to consolidate all state education agencies under DPI?**

No. CTE's mission is distinct from DPI, and CTE manages hundreds of programs, grants, and services. Furthermore, CTE is not a school, whereas CDE is an online K-12 school.

## **Will CDE continue to collaborate with CTE and continue to offer CTE courses?**

Yes. CDE and CTE strongly value their partnership and the work jointly conducted. CDE is committed to delivering CTE courses when it identifies school district and student needs that may not be fully met by the CTE Centers and when it can deliver these courses in a manner aligned with CTE standards. All cooperative work between CDE and CTE, including the goal of creating an online CTE course catalog, will continue. Furthermore, CDE, CTE, and DPI meet monthly to share operational updates and identify opportunities for collaboration, and this work will continue.

## **When would this transition take effect?**

This bill does not have an emergency clause, so it will go into effect on August 1.

## **What is the current status of the bill?**

The Senate Education Committee made a "do pass" recommendation on the bill with DPI, CTE, and CDE amendments (which primarily clarified the governance structure under the transition). The bill is set to be voted on by the Senate on 01/30/2023.

**Testimony of Kirsten Baesler**  
**North Dakota Superintendent of Public Instruction**  
**House Education Committee**  
**In Support of SB 2269**  
**Tuesday, March 14, 2023**

Chairman Heinert and members of the House Education Committee, good morning.

I am here to speak in support of Senate Bill 2269.

The administrative structure outlined in Senate Bill 2269 is similar to the Department of Public Instruction's relationship to two other state schools – the School for the Blind & Vision Services in Grand Forks and the School for the Deaf & Hard of Hearing in Devils Lake, as well as the State Library in Bismack. I hire and supervise the heads of those institutions. They have separate budgets and staff but they benefit from the infrastructure of our agency including HR and procurement. Their budgets are heard separately each biennium as part of the Department of Public Instruction budget bill that includes state funding for our local schools.

Director Sick, Dr. Martin and I sat down and reviewed the original language of this bill together and made suggested amendments as a team with the interest of students' and their future at the center of our discussion. The Senate agreed with our suggestions and passed the language you see today. We agreed that this change will help provide opportunities for children in all grade levels across the state. CTE, CDE and DPI have developed a strong cross-agency team, and this change will only strengthen our ability to better partner with each other.

Chairman Heinert and members of the committee, I ask for your Do Pass recommendation on Senate Bill 2269 that you have before you today.

I welcome any questions you may have.



# North Dakota Small Organized Schools

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SB 2269 -Testimony in Support  
House Education Committee  
Representative Heinert – Chairperson  
March 14, 2023

North Dakota Small Organized Schools supports SB 2269. The ND Center for Distance Education has long been an important partner of North Dakota’s schools. The ND CDE was once a way for schools to enhance their curriculum or add key electives, today the ND CDE has become the source of required curriculum for some of our schools. As teacher shortages have become more of a factor our schools, especially NDSOS members have found CDE to be a valued partner in the education of North Dakota’s students.

NDSOS supports the move of the ND CDE from the office of Career and Technical Education to the office of the Department of Public Instruction. We hope that this move will prove to sustain and enhance the services our schools are familiar with from ND CDE.

NDSOS supports SB 2269 and asks for a do pass recommendation.

Mr. Michael Heilman – Executive Director  
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**The mission of NDSOS is to provide leadership for the small/rural schools in North Dakota and to support legislation favorable to their philosophy while opposing legislation that is harmful.**