

# NORTH DAKOTA LEGISLATIVE COUNCIL

## Minutes of the

### INFORMATION TECHNOLOGY COMMITTEE

Monday, December 4, 2000  
Roughrider Room, State Capitol  
Bismarck, North Dakota

Senator Larry J. Robinson, Chairman, called the meeting to order at 1:05 p.m.

**Members present:** Senators Larry J. Robinson, Ken Solberg, Rich Wardner; Representatives Mary Ekstrom, Doug Lemieux, Blair Thoreson; Chief Information Officer Curtis L. Wolfe

**Member absent:** Representative Robin Weisz

**Others present:** See attached appendix

**It was moved by Representative Ekstrom, seconded by Senator Wardner, and carried on a voice vote that the minutes of the November 6, 2000, and November 9, 2000, meetings be approved as distributed.**

#### EDUCATIONAL TECHNOLOGY COUNCIL BILL DRAFT

At the request of Chairman Robinson, committee counsel reviewed a bill draft relating to the restructuring of the Educational Telecommunications Council and the Division of Independent Study into the Educational Technology Council. He said the bill draft does not address SENDIT Technology Services and the Center for Innovation in Instruction because those entities are not mentioned in state statute. However, he said, to include those entities under the new Educational Technology Council, the appropriations for those entities would have to be transferred from being line items in other budgets to the Information Technology Department budget.

In response to a question from Representative Ekstrom, Senator Robinson said consideration was not given to including a representative of an assistive technology group on the council.

Mr. Darin King, Grand Forks Public Schools and North Dakota Association of Technology Leaders, said he supports the bill draft because it is the appropriate time to address leadership and coordination of education technology initiatives at the elementary and secondary education level. Although SENDIT and the Center for Innovation in Instruction have done an outstanding job in the past, he said, the consolidation of the various entities into the Educational Technology Council would lessen duplication and bureaucracy. He said the new council would provide a focus for elementary and secondary education technology vision and mission and how it affects students. He said the Center for Innovation in Instruction, SENDIT,

and the Division of Independent Study provide staff development, support, and a focused curriculum, which are the three components that must be addressed in education technology. Although the Division of Independent Study does not deliver all of its content electronically, he said, the amount of content delivered electronically will increase with the new statewide network. He said the bill draft is a visionary approach.

Ms. Lisa Feldner, Chairman, SENDIT Technology Services, said she supports the bill draft. Ms. Feldner said there is a need for leadership in elementary and secondary education and for a technology director. She said the reduction in the number of boards addressing education technology would be beneficial, and SENDIT is willing to turn over its responsibilities to the new council. In addition, she said, the delivery of curriculum through electronic means will increase with the proposed changes to the Division of Independent Study along with the implementation of the new statewide network. She said the SENDIT Board favors the restructuring of the various boards because the restructuring will improve all aspects of technology in elementary and secondary education.

Ms. Jody French, SENDIT Technology Services, said it is important that there be improved coordination in addressing education technology needs. Ms. French said the new council can fulfill the needs of elementary and secondary education. She said representatives of SENDIT have been involved in the discussion leading up to this bill draft. She said the Information Technology Department must continue to be involved in the discussion as well as representatives of higher education.

Mr. Dan Pullen, Center for Innovation in Instruction, submitted written testimony, a copy of which is on file in the Legislative Council office. Mr. Pullen said he supports the concept of restructuring the Educational Telecommunications Council. He said the Center for Innovation in Instruction Board will meet on December 15, 2000, to review the proposal. He said the implementation of the new state network in elementary and secondary education schools provides an important opportunity to make the benefits of information technology available to all schools to maximize those benefits and ensure accountability for the investment the state will make in

the new network. He said coordination of all related elementary and secondary information technology initiatives is critical. He said the restructuring of the various entities discussed in the bill draft and the hiring of an elementary and secondary education technology director will help ensure that everyone is working toward a common goal. In addition, he said, the hiring of a state director and restructuring of the council will allow those involved to better plan for the future and more efficiently make changes that will be required as a result of the expansion of technologies to improve student learning. Although there is some concern with what the restructuring will hold for members of the Center for Innovation in Instruction staff, he said, if the staff can be included in the discussions as the process proceeds, he is confident the transition can be successful.

Ms. Bev Nielson, North Dakota School Boards Association, said she supports the bill draft because it will help coordinate efforts in the area of education technology. Ms. Nielson said a statewide director will be an excellent resource for school officials who need help with technology concerns. She said the change in the structure will move the new council more toward the original purpose of the Educational Telecommunications Council.

Mr. Wolfe, Chief Information Officer, said Phase 1 of the statewide network implementation is now operational. He said the new network will create new opportunities for elementary and secondary education and higher education. He said one example of the opportunities available for schools is \$80,000 in grants provided by the Northwest Communications Cooperative to schools in its service area.

Mr. Wolfe said he agrees with Representative Ekstrom that a representative of assistive technology groups should be included as a member on the council. He said the director appointed by the council would essentially act as a chief information officer for elementary and secondary education much like the chief information officer for higher education and the state Chief Information Officer. He said accountability is needed with respect to followup regarding education technology grants. Although the bill draft may require some revisions, he said, discussion should proceed with respect to the adoption of the bill draft.

Mr. Wolfe said leadership is needed in the area of elementary and secondary technology issues. He said there must be innovation, and there must be a focus for the use of limited funds. He said the bill draft may require some changes regarding further defining the role of the director. He said the director must be a strong leader and a strong administrator. He said the leader should be directed to work closely with the Chief Information Officer and the chief information officer for higher education. In addition, he said, the director should be required to periodically report to the Information Technology Committee. He said the bill draft also should require the Educational

Technology Council to develop a statewide technology plan and assess the effectiveness of its programs. He said declining enrollment and teacher shortages require strong leadership and creativity to properly focus state funds with respect to distance learning.

Dr. Wayne Sanstead, Superintendent of Public Instruction, submitted written testimony, a copy of which is on file in the Legislative Council office. Dr. Sanstead said the Department of Public Instruction has been involved in utilizing and promoting the expansion of use of technology in education since the mid-1980s. He said the department made the initial grants establishing the first interactive television teaching systems and computer networks in the state. In addition, he said, the department organized the first elementary and secondary distance education courses utilizing technology in the country, and the department played an integral role in the development of the nation's premier elementary and secondary education computer network. He said the North Dakota Broadcasting Council and the Educational Telecommunications Council have been administratively supported by the Department of Public Instruction, and none of the leadership activities he has discussed were mandated by legislation. In addition, he said, state and federal funding was limited or nonexistent for program administrative and implementation efforts.

Superintendent Sanstead said the transfer of the Division of Independent Study from the Department of Public Instruction does not make sense because the division functions primarily as an educational institution and is a fully licensed and accredited school under North Dakota law and the North Central Association Accrediting Agency. He said the division awards course credit and diplomas utilizing technology; however, the division is a school that clearly belongs administratively under the direction of the state's educational agency. He urged the committee to recognize the continuing expansive role of the Division of Independent Study in statewide curriculum development and provision of advanced placement academic excellence by rejecting the bill draft. He said the bill draft clearly goes far beyond the technology infrastructure unification envisioned by the passage of the legislation creating the Information Technology Department in 1999.

Mr. Neil Howe, Division of Independent Study, submitted written testimony, a copy of which is on file in the Legislative Council office. Mr. Howe said the Division of Independent Study was established in 1935 by the Legislative Assembly to provide educational equity for North Dakota students. He said over the last 65 years, the division has educated over 231,000 students and graduated 2,148 students. He said the graduating class in 2000 was 119 students. During 1999 and 2000, he said, 179 of the 209 public, private, and Bureau of Indian Affairs high schools in

the state used the services provided by the Division of Independent Study. He said the division's goals are to offer quality distance education courses in print-based and on-line formats, provide an on-line core curriculum on the Internet that encompasses all the courses required for high school graduation, and expand course offerings to kindergarten through fourth grade levels.

Mr. Howe said the Division of Independent Study has functioned as an education content and service provider and removing the division from the state's education agency raises several concerns. He said of the division's 173 courses, 56 are available on-line and enrollment in those 56 courses accounts for approximately 10 percent of the total enrollment. Although it is imperative that the division play a key role in the development and improvement in elementary and secondary education technology, he said, he is concerned regarding the implications the bill draft would have on the division and the jeopardizing of the division's mission.

Mr. Howe said the removal of the name of the Division of Independent Study from state law would seriously jeopardize the division's national recognition and a substantial amount of associated revenue. He said the division is recognized and respected by schools and administrative officials across the nation. As a result of removing the division from the Department of Public Instruction's administration, he said, the authority and the administration of the state director would be removed. He said the state director is credentialed as a school superintendent, and without the credentialed position, the division would not be able to maintain state or regional accreditation. As a result of the loss of accreditation, he said, a major number of current enrollments, all diploma students, and all associated revenue would be lost. He said he is also concerned regarding the change in the provisions relating to the special fund for the division.

Mr. Howe said the interim Higher Education Committee studied the role, mission, and operation of the Division of Independent Study. He said the interim committee made no recommendation as to the role, mission, and operation of the division. However, he said, he viewed the committee action as a professional compliment and an academic affirmation for the role the division plays in elementary and secondary education in the state. He said the action of the Higher Education Committee and the result of this bill draft are diametrically opposed. He requested the committee to affirm the importance of the Division of Independent Study, protect its long and respected history and status, and encourage its growth. Although he and Superintendent Sanstead are open to comprehensive discussion concerning elementary and secondary educational technology issues and how the division may enhance its services to the students and schools of the state, he said, the

division's best position in an organizational structure is with the Department of Public Instruction.

Mr. Howe said distance education's role has been difficult as a result of decreases in general fund appropriations. He said the division is doing the best it can with the funds it generates.

Chairman Robinson said the intent of the bill draft is not to harm the mission of the Division of Independent Study. He said the goal is to improve coordination.

In response to a question from Senator Robinson, Mr. Howe said the interim Higher Education Committee had some discussion regarding the number of entities involved in technology education issues. In addition, he said, there was some discussion regarding the need for the Division of Independent Study to do more.

Senator Solberg said although the Higher Education Committee made no recommendation regarding the Division of Independent Study, the committee's report expressed concern regarding the lack of a coordinated effort of elementary and secondary education and higher education to meet the demands of businesses in the state. He said this bill draft under consideration is not diametrically opposed to that recommendation.

In response to a question from Representative Lemieux, Mr. Howe said changing the name of the Division of Independent Study would result in a loss of revenue due to its loss of identity. He said of the 20 similar schools in the United States, all the rest are part of universities. He said accreditation is his greatest concern with respect to the bill draft.

Chairman Robinson said the concept for the bill draft was brought to the committee by a consultant as a result of a grassroots effort of a number of people involved in educational technology issues. He said there was a serious concern and a sense of frustration with the lack of leadership and coordination in this area.

Mr. Howe said he is aware of some concerns, and he has been trying to do what funding allows.

In response to a question from Senator Robinson, Mr. Howe said although the Division of Independent Study has no formal cooperative programs with SENDIT and the Center for Innovation in Instruction, representatives of the division have worked with those entities in the past.

In response to a question from Senator Solberg, Mr. Howe said he is doing the best he can to preserve the mission and goals of the Division of Independent Study. He said the division is one of the most successful programs in the country.

Senator Solberg said this committee has the same goal. Although change in government is not always easy, he said, it often needs to be done to provide efficiency and accountability. Senator Solberg said the bill draft can be revised to leave the name of the Division of Independent Study in place and to take

measures to protect the division's accreditation status. He said he has some concerns regarding the appointment of the members to the council with respect to ensuring that the representatives of the various entities will be productive members of the council.

Chairman Robinson said he is not sure whether the committee will hold another meeting. However, he said, the bill draft can be revised to reflect concerns expressed at this meeting, and individual members of the committee can work together to introduce the bill once the concerns have been addressed.

In response to a question from Senator Solberg, Mr. Wolfe said he believes changing the appointment of the members to have all members appointed by the Governor would reduce the flexibility in the appointment process.

Senator Wardner said he supports the present provisions regarding appointment of the members by the various groups involved.

Chairman Robinson requested the Legislative Council staff to revise the bill draft to address the concerns expressed at this meeting.

## **HIGHER EDUCATION DATA WAREHOUSE PROJECT DEMONSTRATION**

Chairman Robinson called on Mr. Mick Pytlik, North Dakota University System, Fargo, for a demonstration of the North Dakota University System data warehouse project. Mr. Pytlik said the data warehouse project provides executive level information on

a timely and recurring basis which is critical to the management of the University System. He said the project is the beginning of a reporting infrastructure in the system and a new technology infrastructure in the web environment. He said the system will aid in the transition to a new enterprise administrative system and will take advantage of the new statewide network.

Senator Robinson said the efficiency of the new system will save a significant amount of work and provide flexibility in viewing comparative analyses.

Chairman Robinson said he is pleased with the work of the committee and the cooperation of the Chief Information Officer and representatives of the Information Technology Department. He said the department has come a long way in a short time. He said the Legislative Assembly will be facing a big challenge this session and must continue to take an aggressive approach with respect to technology. He said the members of this committee will have to lead the effort to push initiatives forward.

There being no further business, Chairman Robinson adjourned the meeting at 3:20 p.m.

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John D. Bjornson  
Committee Counsel

ATTACH:1