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Date

2003 HOUSE EDUCATION

HB 1273

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2003 HOUSE STANDING COMMITTEE MINUTES
BILL/RESOLUTION NO. HB 1273

House Education Committee

Conference Committee

Hearing Date February 3, 2003

Tape Number	Side A	Side B	Meter #
1	x		800-end
		X	00-565
Committee Clerk Signature <i>Sinda Fuchner</i>			

Minutes: **Chairman Kelsch** opened hearing on HB 1273

(810) Rep. Lisa Meier, District 32

School districts across the state are facing a shortage of qualified school teachers, so we as state policy makers need to look at different ways to address this problem. HB 1273 is a incentive piece of Legislation that I feel will help.

(1000-1464) Bev Nielson, ND School Boards Association, See Attached Testimony

Rep. Hanson What is the definition of a highly qualified staff?

Nielson: We are trying to determine that, but we are assuming that we are talking about teachers teaching in their major.

Rep. Hanson I taught ND history for 32 years and about 132 kids a day, if this goes through, and you hire someone who teaches physics who probably has 30-40 kids a day, what's more important?

Nelson: We are talking about a market driven system, some that are scarce, harder to come by and districts are going to need some tools to in order to retain those teachers.

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Rep. Hanson You didn't answer my question, what is more important?

Nielson: Neither is more important, one may be harder to get.

Rep. Mueller Do you have a concern that in solving a problem, in the case of teachers signing on with another district, you are creating a problem for the district that they left?

Nielson: It is very specific, our delegation was sensitive to that and that is why the signing bonus is only good for new graduates and people coming from out-of-state. You will not be able to recruit teachers away from each other with signing bonus.

Rep. Herbel Is there any protection for this or does this have to be under the discretion of the board. For example a graduate coming from NDSU, and they pay a \$5K bonus, the teacher only stayed one year and then are gone, would they have to return any of that bonus?

Nielson: At the discretion of the board, the bonuses will be offered in any way they like. It could be in one lump sum or up to three years to pay it out. In my estimation, if the board were smart, they would probably pay it over three years, unless it is a minimal bonus like moving expenses.

Rep. Sitte GVA on HB1093, there are no caps put on the state employee bonus. We were told that it would not exceed 5K. So I am wondering about a cap on this bill, should we add a cap?

Nielson: We didn't put a cap because we know, depending upon the district, what might seem a lot to one district wouldn't be to another district. Certainly, in this committee's wisdom, you may choose to amend, and add a cap. There is a wide variety of budgets across the state.

Rep. Norland What you are saying is that this bonus will only pertain to graduates, people that are coming from our of state?

Nielson: Yes the signing bonus is only for someone new to the state or someone new to the teaching profession. There is another bill in the Senate, that is for retention bonuses, it is geared

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to keep people. But neither of those bills are to set up so that one school district is recruiting teachers away from another in the state.

Rep. Norland If the new graduate takes the bonus and teaches the one year, then decides to leave and go to another school. They would not then be able to take another bonus?

Nielson: That is correct.

Rep. Hunsakor Signing bonuses present some problems within the staff, which we all know.

There is a possibility of a bidding war, if a teacher comes in from out of state or a graduate, that person can go between school districts to up the ante, is that correct?

Nielson: That is possible right now with salaries.

Rep. Hunsakor Then staff may also say, you've got money for a signing bonus, therefore, what about this and this, but you don't have money for that. That is one part of the coin. It is very possible that to get around this staff morale thing, the school district would give a new teacher 2K-3K and say we want you take tickets at 5 basketball games or check the locker rooms after school, very minimal task. Bend the rules a little and still be legal and give this 2K and not call it a signing bonus. That is a way to get around this situation. I know the other side of the coin and what you do if you absolutely can't get a teacher, and there is a Science teacher available for 1K. There is good points on both sides.

(1990) Nielson: I will take the one about if we have 2K to give a signing bonus, why isn't that on the table for negotiations, and my response to that is; That any thing that goes into the master agreement is continued and sustain ability gets to be an issue. You might have some one time funds, grant money or title money, that could be just for bonus and not attached to the continuing contract. That is one question. As far as, I'm not sure I followed on the abuses of additional

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duties, if you consider that abuse. I know that right now without the ability to pay signing bonuses or retention bonuses, the boards sometimes do add additional duties in order to up a teachers salary. And I guess is that a bad thing. I don't know. I know that happens now because they can't pay them off the schedule for their teaching duties.

Rep. Hunsaker Is it not possible to say to a teacher, this is how much you will be paid, we will give 2K, we won't call it a signing bonus, but you will perform some small tasks. It amounts to the same thing, but it doesn't have to be made known to the staff.

Nielson: I don't think anything is not known to the staff. I think they would find out. Actually the signing bonus could be in the form of other duties, if that is what is offered to the new teacher coming in. It also could be for a new teacher, that has one major in difficult to fill position, that they can teach and they are a couple of credits short of a second major, that would allow them to teach something else, it may come in the form of money to go back to school and upgrade their certification. It could be moving expenses, rent for a month, or any number of things. The point is that there is flexibility for the employer to retain the services of the teacher.

Rep. Herbel Section 1, 1C - person that is teaching school in North Dakota - because of declining enrollment, loses their teaching position, goes back to school, gets a degree in a different area. Would they be eligible for this bonus then?

Nielson: I think that the incident that you described. If the teachers been non-renewed, they are no longer teaching in the state, they go back and upgrade their certificate, then I imagine they would be treated as a new teacher. The reason we put the previous year in, was a concern that we sure that would be raised, because it was raised in our membership, that there not be this recruiting back and forth between districts.

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Rep. Haas This doesn't apply only to new teachers coming in from out of state, it is any qualified teacher who was not employed the previous year, either in state or out of state?

Nielson: Yes.

(2350) Dean Bard: North Dakota Small Organized Schools

It looks like it is something that is good for school districts. It is an authority which I think we welcome. It gives us flexibility to pay teachers off the schedule, it is optional so schools districts can take advantage of it if they want to, if they don't have the extra money obviously they won't be able to. But it would give some districts the ability to be a little more successful in getting teachers in some of the areas that were hard to fill. Some of the physics, math, music, these areas seem to have few teachers. We have a set of Legislative goals, #2 fits into this area. We respectfully ask that you give it your favorable consideration.

Rep. Williams Let me put it this way, a teacher right out of college, lets assume that you have a salary schedule of 22K as the starting amount, you give them 5K as a signing bonus. Now you have 27K. Second year they come back, you can't give them the bonus, consequently their salary is going to drop from 27 to 22K. Teachers are funny beings. They are going to have a cut?

Bard: That is a situation that can take place. I would like to think that the fact that the teacher is getting the 5K the first year. They would have to know and plan for the fact that their salaries going to go down the second year if the money is paid out in the first year. Again, like Bev mentioned, it makes more sense to pay the salary out over more time to keep the person there.

Rep. Solberg A number of teachers in school district for years they are highly qualified and highly regarded. A young teacher comes in and get a 5K bonus. We all know that created dissension among the staff. How do you address that?

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