

**2019 HOUSE EDUCATION**

**HB 1208**

# 2019 HOUSE STANDING COMMITTEE MINUTES

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

HB 1208  
1/14/2019  
30762

- Subcommittee  
 Conference Committee

Committee Clerk: Bev Monroe

## **Explanation or reason for introduction of bill/resolution:**

Bill relating to the creation of a teacher reimbursement program; provide an appropriation and provide for a transfer

## **Minutes:**

Attachment 1, 2, 3

**Chairman Owens:** Opened hearing on HB 1208

**Rep. M. Ruby:** (See Attachment 1). The Fiscal Note came in lower than I expected. More elementary teachers are spending out-of-pocket than high school teachers, so that is a big part of it. Not all teachers are included in our fiscal note to see the impact.

**Chairman Owens:** I don't see a fiscal note. There is none.

**Rep. M. Ruby:** We came up with a number rather than sending it off for the fiscal note. My apologies.

**Chairman Owens:** Anyone else in support of HB 1208?

**Nick Archuleta, President, ND United:** (See Attachment 2).

**Chairman Owens:** Any questions?

**Rep. Pat D. Heinert:** Mr. Archuleta, you state that the average expenditure per teacher was \$479. I assume that's a national number, not local.

**Nick Archuleta:** The Federal Department of Education garnered that number nationally as an average.

**Rep. Pat D. Heinert:** Are there local numbers available?

**Nick Archuleta:** We have some anecdotal and was going to include it, but I always loathe to include anecdotal evidence as opposed to hard data. The numbers we have been hearing in North Dakota are a ballpark figure – somewhere between \$400 and \$600.

**Rep. Pat D. Heinert:** Are we just talking about public school K-12 or are we talking private schools, preschools and those kind of instructions as well?

**Nick Archuleta:** I believe that those numbers cited by the US Department of Education are for public school, but don't want to say that categorically. I will send you a copy of the study I read.

**Rep. Pat D. Heinert:** I'm talking about the benefit of the \$200 credit. Are we talking teachers in K-8 and do we also include private schools, pre-K?

**Nick Archuleta:** That would be a good question for Rep. Ruby. I am uncertain of his intentions, I assumed it was for all teachers. I don't know that there is enough money in that \$500,000 proposed expenditure to cover all those you may get.

**Chairman Owens:** Further questions? Mr. Archuleta, would you tell me all the public school teachers we have, if everyone submitted receipts for \$200 reimbursement to DPI, beginning next August.

**Nick Archuleta:** I believe we have somewhere in the neighborhood of 10,000 public school teachers in the state. Assuming everyone turns in receipts for \$200, approximately \$2M.

**Chairman Owens:** That would be \$2M per year/\$4M per biennium. So \$500K would be just a bit short. Any further questions from the committee?

**Rep. LaurieBeth Hager:** Do we have a definition of teacher? I don't know if that includes paras who also purchase things out-of-pocket. Does it include special education, professionals that work not in a classwork situation, but often taking out-of-pocket for activities to assist the children they are working with. This might be a point of information that we need to specify what a teacher is.

**Nick Archuleta:** I think that is a question better suited to the maker of this proposal.

**Chairman Owens:** Any others in support, any against or neutral testimony for HB 1208?

**Elroy Burkle,** Executive Director, North Dakota Small Organized Schools(NDSOS): I support the concept but the issue is that you are far too short from the \$500K. As a former superintendent, the teachers submit to me their receipts justifying their expenses. I submit these receipts to the board. The board approves it and the teacher receives payment. If we are grossly unfunded, some schools will not be reimbursed. Conceptually I support it. However, you are underfunded and I am concerned about the ability to pay.

**Chairman Owens:** Any further questions?

**Representative Denton Zubke:** Is it routine for teachers to purchase supplies and go to the superintendent and ask to be reimbursed across the state?

**Elroy Burkle:** During the negotiation process my board caucused and they came in and said they wouldn't be reimbursing the teachers. I had not received any claims, so I am not debating what was shared. Some teachers may not be reimbursed. I will have to look at each local school district/school administrator.

**Vice Chairman Cynthia Schreiber-Beck:** What do you estimate the average budget is allowed per teacher?

**Elroy Burkle:** It varies from district to district. I gear my budget by immediate needs. I ask them to prioritize their needs. Every year was different. I am unable to give you a figure.

**Chairman Owens:** Was it your experience that people did this and the school district reimbursed people who did this with a set amount and procedure or did you have to create a procedure? Did you create a set amount back then?

**Elroy Burkle:** There was a budget with allocation of dollars for elementary education, in ag., etc. It was monitored month to month and open to the teachers. No one was ever denied. As long as it was curriculum based teachers were not denied a reasonable request.

**Chairman Owens:** Did you have a limit on reimbursement or was it case by case,

**Elroy Burkle:** It was case by case.

**Chairman Owens:** Any other neutral testimony?

**Russ Ziegler, NDCEL:** (See Attachment 3).

**Chairman Owens:** Further neutral testimony on HB 1208?

**Alexis Baxley, Executive Director, ND School Board Association (NDSBA):** We are in favor of compensating teachers and supporting them. We are concerned that the proposed amount wouldn't come close to filling the need.

**Chairman Owens:** No further neutral testimony. Closed the hearing on HB 1208.

# 2019 HOUSE STANDING COMMITTEE MINUTES

**Education Committee**  
Coteau Room, State Capitol

HB 1208  
1/16/2019  
30917 (31:05-38:57)

- Subcommittee  
 Conference Committee

Committee Clerk: Bev Monroe by Donna Whetham

## Explanation or reason for introduction of bill/resolution:

Bill relating to the creation of a teacher reimbursement program; provide an appropriation and provide for a transfer

## Minutes:

**Chairman Owens:** Opened the hearing on HB 1208.

**Rep. Zubke:** I move a Do Not Pass on HB 1208.

**Rep. Johnston:** Seconded.

**Rep. Pyle:** Would the committee consider turning this into a study.

**Rep. Zubke:** I have no interest in that, I think it is a local matter and they should submit those expenses to the local.

**Rep Johnston:** I wanted one correction and I don't think it will sway you. The Federal reimbursement did survive the Tax Cut Job Act. However, it is not a credit, it is a deduction for the adjusted gross income.

**Rep Marschall:** Is there a program for the teachers to go to their individual schools for reimbursement.

**Chairman Owens:** Every has something different, some of them allow for reimbursement, some each room has a stipend. This is just to help the teachers along and it isn't really office supplies. There really wasn't enough information in the testimony to determine where the need was.

**Rep. Guggisberg:** I wouldn't mind studying it because some of the things the PTA buys I think the school district should be providing. I am not sure the legislature is the place to look at it.

**Rep. Zubke:** The way I understand this program the invoices would have to be submitted to DPI for reimbursement and I don't believe they have the man power to administer this program. It might be

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better to just send out \$200 to each teacher in the state. The teachers I have talked to said raise my wages and you can keep the \$200.

**Chairman Owens:** Any further discussion? Seeing none.

**Roll call vote:** Yes 12. No 2. Absent: 0.

**Rep. Zubke:** will carry the bill.

Hearing closed.

Date: 1/16/19  
Roll Call Vote #: 1

2019 HOUSE STANDING COMMITTEE  
ROLL CALL VOTES  
BILL/RESOLUTION NO. 1209

House Education Committee

Subcommittee

Amendment LC# or Description: \_\_\_\_\_

Recommendation:  Adopt Amendment  
 Do Pass  Do Not Pass  Without Committee Recommendation  
 As Amended  Rerefer to Appropriations  
 Place on Consent Calendar  
Other Actions:  Reconsider  \_\_\_\_\_

Motion Made By Rep. D. Zubke Seconded By Rep. Johnston

| Representatives          | Yes | No | Representatives | Yes | No |
|--------------------------|-----|----|-----------------|-----|----|
| Chairman M. Owens        | ✓   |    | Rep. Guggisberg |     | ✓  |
| V. Chair. Schreiber-Beck | ✓   |    | Rep. Hager      |     | ✓  |
| Rep. Heinert             | ✓   |    |                 |     |    |
| Rep. Hoverson            | ✓   |    |                 |     |    |
| Rep. D. Johnson          | ✓   |    |                 |     |    |
| Rep. M. Johnson          | ✓   |    |                 |     |    |
| Rep. Johnston            | ✓   |    |                 |     |    |
| Rep. Longmuir            | ✓   |    |                 |     |    |
| Rep. Marschall           | ✓   |    |                 |     |    |
| Rep. Pyle                | ✓   |    |                 |     |    |
| Rep. Strinden            | ✓   |    |                 |     |    |
| Rep. Zubke               | ✓   |    |                 |     |    |
|                          |     |    |                 |     |    |
|                          |     |    |                 |     |    |

Total (Yes) 12 No 2

Absent 0

Floor Assignment Rep. D. Zubke

If the vote is on an amendment, briefly indicate intent:

**REPORT OF STANDING COMMITTEE**

**HB 1208: Education Committee (Rep. Owens, Chairman)** recommends **DO NOT PASS** (12 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). HB 1208 was placed on the Eleventh order on the calendar.

**2019 TESTIMONY**

**HB 1208**

Rep. Matt Ruby

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1/14/19  
#1

HB 1208

Good Afternoon Chairman Owens and the Education Committee,

You have before you HB 1208 which would require the Department of Public Instruction to develop and administer a reimbursement program for teachers to submit receipts to for items such as learning aids, school supplies, or office supplies. This bill comes from the many reports I have received regarding how much a teacher pays out of pocket for classroom supplies. I can't think of another public employee that has to pay out of pocket for these types of things. When I started researching this topic I found a wide range of policies put forth by the various school districts.

The only current state or federal reimbursement plan in place is a federal income tax credit up to \$250/year. My initial thought was to add a state income tax credit, however every time I mentioned an idea to someone else they had a different idea to include a state match program and a line item requirement for the school districts. I planned to bring this as a study to get the education communities input until I was approached to bring my most popular idea forward and hopefully we can come to a consensus.

I stand for any questions.

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#2



*Great Public Schools*

*Great Public Service*

**Testimony Before the House Education Committee  
HB 1208  
Monday, January 14, 2019**

Good Afternoon, Chairman Owens and members of the Committee. For the record, my name is Nick Archuleta, and I am the president of North Dakota United. I am proud to rise today on behalf of ND United's 11,500 members to urge a DO PASS recommendation for HB 1208.

HB 1208 is a very good piece of legislation for at least two very good reasons. First, the \$200 a year reimbursement tax deduction helps recognize the financial sacrifices made by educators who often reach into their own pockets to purchase classroom supplies such as books, pencils, paper, and art supplies for their students.

According to a study from the federal Department of Education, ninety four percent of public school teachers in the United States reported paying for supplies without reimbursement in the 2014-2015 school year. The average expenditure per teacher was \$479. Another study from the National School Supply and Equipment Association (NSSEA) found that in 2012-2013, public school teachers nationally spent approximately \$1.6B of their own money on school supplies.

Teachers have always given their time, talent, and treasure generously to their students. If passed, HB 1208 will allow our teachers to recoup some of the investment they make in their students.

The second reason this proposed legislation is so good is because it is so bipartisan. In these times when political rhetoric can be so overheated, it is great to see the support for our educators transcend any political divide.

On behalf of our members, I want to thank each sponsor of HB 1208 for their good work on this legislation and urge a DO PASS recommendation for HB 1208.



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Neutral Testimony

Chairman Owens and members of the House Education Committee my name is Aimee Copas – I serve as the Executive Director for the North Dakota Council of Educational Leaders which is the organization that serves our school Superintendents, Principals, CTE Directors, Technology Directors, AD's, County Superintendents, Business Officials and truly every school leader with the exception of teachers and school board members. We stand before you today to share some perspective on HB 1208 regarding the Teacher Reimbursement Fund.

*Russ Ziegler*

As educators, we are completely supportive of finding ways to provide additional income and reimbursement for our teachers who we'd all agree we'd love to pay more. The challenge our organization finds with this bill is that while the intent is most certainly positive, the outcome may not be as positive as one might hope.

Rationale: It is not unreasonable to indicate that nearly all of our schools reimburse their teachers for necessary classroom items so long as proper district protocol is followed. However, we are aware that perhaps there are times when a teacher wishes to do things within their rooms that are over and above the basics and that is where this might benefit teachers...however... to reimburse at a rate of up to \$200 per teacher provides reimbursement that is likely rather underfunded. That would mean only 2500 teacher would have the opportunity glean that reimbursement (only about 1/4 of the teachers in the state).

This also creates an unfunded mandate for schools as the administration of the program actually happens at the school level creating additional work load on the business office, and a narrow window of potential that a district might reimburse a teacher for expenses and then subsequently be denied funding from NDDPI if the pool of dollars is depleted prior to the reimbursement.

NDCEL feels strongly that a focused effort on keeping the K12 funding angled at key priorities like the per-pupil payment and on-time funding provide a better opportunity to fund teachers. Through that mechanism a real opportunity to provide raises for teachers is a better way to provide them reimbursement. In many districts, teachers and administrators have had their pay frozen – a welcome relief would be the ability to offer them a raise. We believe keeping our investments in this focused area is a responsible investment of dollars.

While because of the reasons above we cannot through our full support behind this bill, we are not theoretically opposed to helping our teachers – we simply feel that keeping our funding dedicated toward the per-pupil payment will deliver an overall better state outcome in teacher compensation support.

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