

MICROFILM DIVIDER

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ROLL NUMBER

DESCRIPTION

2183

2001 SENATE EDUCATION

SB 2183

2001 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2183

Senate Education Committee

Conference Committee

Hearing Date 001-22-01

Tape Number	Side A	Side B	Meter #
1	x		0 - 30.3
		x	53.05 - end
2	x		0 - 13.4
Committee Clerk Signature <i>Andrew Johnson</i>			

Minutes: CHAIRMAN FREBORG called the committee to order.

Roll call was taken with 6 members present and 1 absent. SENATOR WANZEK had asked to be excused due to a death in the family.

CHAIRMAN FREBORG called the hearing on SB 2183 which relates to the payment of teacher signing bonuses by school boards.

Testimony in support of SB 2183:

CHAIRMAN FREBORG testified the bill was introduced due to problems involved with the hiring of new teachers. This will help eliminate the problem. This is signing bonuses between 1st year teachers and the local school board. There are certain stipulations the teacher must meet.

The money may be paid in one lump sum or it may be spread over a period of years, not to exceed 5 years. SENATOR CHRISTENSON asked if there was a dollar amount considered. SENATOR FREBORG stated it would be at the discretion of the local board. This probably would benefit smaller schools more than large schools. SENATOR KELSH asked if this may

cause some concern from the teachers that are already in the school system. Would this affect the morale of those who did not receive a bonus. SENATOR FREBORG would hope the teachers in the system would rather see a new teacher receive a signing bonus than go without a teacher at all in a particular classroom. This would only be done out of total necessity. This bill is only for new first year teachers and relates only to signing bonuses. SENATOR FREBORG understands how teachers may feel it is unfair, and he supports, in theory, that teachers all should be given raises. However, that is not what this bill is for.

RICHARD OTT, ND Council of Educational Leaders (NDCEL), feels this bill fits into the program of

upgrading teacher's salaries. He feels the legislature this session is trying to address several issues:

1. Trying to encourage people to go into the educational field.
2. Trying to improve their conditions while they are teaching.
3. Looking at tending to their needs after they retire.

The NDCEL supports this legislation because it is addressing one of the problems being faced in the educational community.

SENATOR COOK asked Mr. Ott if he felt that if a school offered a signing bonus to a new teacher, would that bring pressure in the next negotiating session to raise all teacher's salaries.

MR. OTT stated that the signing bonus would have a positive effect on the negotiations and that the shortage of teachers in certain areas will probably move negotiations in that direction.

SENATOR O'CONNELL wondered if this could set up a "bidding war". MR. OTT doesn't feel it would be a major problem.

BEV NIELSON, ND School Boards Assn., supports this bill because it allows flexibility to the Board. She stated that sometimes it is hard to get the beginning teacher base salary up to an attractive amount. Also, some districts already have this in their negotiated agreement that under some circumstances teachers can be paid bonuses. However, some Boards can not get the bonus system in their schedule, for one reason or another. This is only for new teachers and is a one time bonus for them. This is outside the salary schedule. SENATOR FLAKOLL wondered if the bonus could be used to pay off a student loan. She stated the person could pay off their loan, but she wasn't sure if the school board could actually dedicate the bonus to pay down a student loan. CHAIRMAN FREBORG clarified that it would be discriminatory to only buy down loan, but this bill was drafted so the payment would be similar to a bonus, and the teacher could use the money to pay down loan or for other uses.

DEAN BARD, ND Small Organized Schools (NDSOS), favors this legislation. He represents 102 ND school districts. He would like to see subsection C broadened to include those who aren't first year graduates, especially in specialty areas where its hard to find teachers.

Those testifying Neutral on SB 2183:

JOE WESTBY, Executive Director of NDEA, supports recruiting and retaining teachers. (see attached testimony). The NDEA also represents about 800 students who are in college to become teachers. His concern is if this bill is enacted, it allows bonuses to be paid without using the bargaining process. It also could put a first year teacher above the salary of a person who has been in the district for a number of years. SENATOR COOK asked if the issue of not using the bargaining process has been challenged in court. MR. WESTBY replied twice in the past two years the local association has challenged and the court has ruled against the payment over the schedule in those districts that had no provision for bonuses. SENATOR FREBORG asked Mr.

Westby if NDEA felt it would be in the best interest of the students to not pay the bonuses and be without a teacher in some classrooms. He feels the governor's proposal of increasing the overall teacher pay by \$3500 is probably the best way to deal with the teacher shortage.

There was no opposition to the SB 2183.

The hearing on SB 2183 was closed.

Tape 2, Side A, 0 - 13.4

Discussion continued.

SENATOR CHRISTENSON stated her position on this ambiguous. She feels the bottom line is the students and what they deserve. We need full-time teachers in each classroom and for each subject in a school. She has a fear that this may be used as the beginning open-door which will do the opposite of schedule negotiations. In the end that will hurt the quality of teaching far more than the difficulty in finding a particular teacher. SENATOR FREBORG wondered if the local board wouldn't use this tool on the very rare occasions when they can not find a teacher in a particular field. It would cost a lot of money to spread this payment over every teacher they are going to hire. SENATOR CHRISTENSON feels this is one more blow to negotiations and talks which led to a salary scale. SENATOR FREBORG feels this is a needed tool to give schools the ability to make a better effort at getting full time teacher for a difficult area. He wants the restrictions left in the bill re Subsection C. SENATOR COOK stated there is a teacher shortage nationwide so ND is competing with other states. He feels there are certain areas that have more shortages. He further stated that every year, according to DPI, the state has fewer students in college, but we have more teachers. Sometimes the numbers don't add up. SENATOR FREBORG stated that we should all be concerned about what we can do for the children.

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Senate Education Committee
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SENATOR KELSH still has some reservations about how other teachers will feel and worries about the morale of those who don't get a bonus.

SENATOR COOK moved a DO PASS. Seconded by SENATOR FLAKOLL.

6 YES. 0 NO. 1 Absent. Motion Carried.

Carrier: SENATOR FREBORG

SENATOR FREBORG adjourned the committee.

Date: 1-22-01
Roll Call Vote #: 1

2001 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2183

Senate Education _____ Committee

Subcommittee on _____
or
 Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Pass

Motion Made By Sen. Cook Seconded By Sen. Flakoll

Senators	Yes	No	Senators	Yes	No
Senator Freborg - Chairman	✓		Senator Christenson	✓	
Senator Flakoll - Vice Chairman	✓		Senator Kelsh	✓	
Senator Cook	✓		Senator O'Connell	✓	
Senator Wanzek	A				

Total (Yes) 6 No 0

Absent 1

Floor Assignment Sen. Freborg

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

REPORT OF STANDING COMMITTEE (410)
January 22, 2001 1:15 p.m.

Module No: SR-10-1374
Carrier: Freborg
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

SB 2183: Education Committee (Sen. Freborg, Chairman) recommends DO PASS
(6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2183 was placed on the
Eieventh order on the calendar.

2001 HOUSE EDUCATION
SB 2183


2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB2183

House Education Committee

Conference Committee

Hearing Date 03/07/01

Tape Number	Side A	Side B	Meter #
#1	X		2808 to 6200
#1		X	1 to 309
Committee Clerk Signature 			

Minutes:

Chairman R. Kelsch, Vice-Chair T. Brusegaard, Rep. Bellew, Rep. Grumbo, Rep. Haas, Rep. Hanson, Rep. Hawken, Rep. Hunsakor, Rep. Johnson, Rep. Meier, Rep. Mueller, Rep. Nelson, Rep. Nottestad, Rep. Solberg, Rep. Thoreson

Chairman Kelsch: We will now open the hearing on SB2183.

Sen. Freborg: Introduced the bill.

Rep. Hawken: I believe that the Senate did pass a bonus for state employees?

Sen. Freborg: They did.

Rep. Hawken: So, this would be along those same lines.

Sen. Freborg: Yes.

Dean Bard: (ND Small Organized Schools) We believe this is good legislation, we see a difficulty in being able to obtain teachers in selected areas and in selected places. This would

assist school districts in permitted them to pay off the salary schedule for certain individuals with certain talents in certain places.

Rep. Hunsakor: Do you see any problem with teachers who have been there for a year or two and this new person comes in and gets the signing bonus and possibly gets more than the teachers who have been there a year or two?

Bard: I think the possibility exists. I guess it depends on the situation within the school district. In other words, how much need is there. How much money it's going to take. All that aside, we still think that this is good legislation.

Rep. Hanson: Do you think this will end up a bidding war between school districts?

Bard: I think it's always been a bidding war, and I think that it will always be a bidding area, but I think this will help in certain areas where there are shortages.

Rep. Hanson: It seems like the schools that you're representing are not going to be able to compete with the bigger school districts that have more dollars.

Bard: That's possible. We don't know how these things will play out.

Chairman Kelsch: Is there anyone who wishes to appear in opposition to SB2183?

Joe Westby: (NDEA) *Please refer to written testimony*

Rep. Hawken: One of the major concerns is the morale situation. In my opinion, this is permissive legislation. They *can*, but they don't *have* to.

Westby: I can't really say that much about what exists among state employees. Teachers, though, have to work together to find ways to better improve the instruction for the students in the classroom. I think it's important for them to enter into collaborative situations.

Rep. Nelson: In your proposed amendments to Section 2, \$5,000, is that new money?

Westby: I would assume that the appropriations committee will have to make that determination as to whether that's going to be new dollars or if that's going to be money left over.

Rep. Nelson: I would say that there's some problems with that, because I think every school district is going to find a way to apply for this type of money if it's a new source of revenue. Wouldn't you feel that the local school board would certainly understand the importance of teacher morale and understand that this could have some consequences, and they would use this money judiciously?

Westby: I think you're right.

Chairman Kelsch: How many school districts currently have language that allows that they can give signing bonuses outside of the negotiated contract within their school board perimeters right now?

Westby: I don't have that data with me, but there are some that allows them to deal with shortage situations.

Chairman Kelsch: These are bonuses, they're not tagging on top of the salary, so after the bonus is paid out, the salary is back to exactly where it was before they got the bonus. In the real world, signing bonuses are a very real part of it. If teachers are going to let their morale get in the way of teaching our children and giving them quality of education, then I have a real problem with that.

Westby: I couldn't agree with you more that we want the best for the kids.

Chairman Kelsch: We will close the hearing on SB2183.

