

**House Education
HB1201**

January 18, 2023

Chairman Heinert and members of the House Education Committee, my name is Wayde Sick, State Director for the Department of Career and Technical Education. I am here to testify in opposition to HB1201.

I believe this bill intends to prevent all state agencies from interviewing, offering employment and hiring a contracted school district employee. As a state agency, we are required to follow the State of North Dakota's competitive hiring process. This bill would require us to exclude applicants that may be our best candidates.

The Department of Career and Technical Education employs educators. The staff we employ are intended to be the leaders of their respective program areas. The program areas include Agricultural Education, Family and Consumer Science, Business Education, Marketing Education, Technology and Engineering, Information Technology, Trade and Industry, Health Careers and Career Development. The Department's staff's primary responsibility is to support the educators in the field. We need to pull from the field for the benefit of all programs across the state. Also, it is worth mentioning that we do not contract with our employees. They are free to terminate their employment and possibly go back into a school system, no matter what time of year. Often, they are more highly compensated and have a contract ranging from nine to eleven months. Our staff work twelve months a year.

It is worth mentioning that when the Department makes a job offer, we are flexible with the candidate with their start date. It is up to that individual to work with their

local administration to determine an appropriate employment start date. Sometimes a candidate is released from their contract, other times, we have waited for the contract to end prior to a start date with the Department. If we can't wait for the candidate, we move on to other options. My point is, we respect the local contract. Currently, administration and the local school board have policies that allows the board to reject the resignation and require for the individual to obligate the entire contract prior to leaving employment. Often there are fiscal penalties for terminating a contract. The school district can report a breach of contract to the North Dakota Education Standards and Practices Board, which may have additional penalties.

I also feel I need to mention that this limits an individual from expanding his or her career. A local educator may have a desire to work for one of the state agencies, being able to pass on their knowledge and expand his or her sphere of influence. This bill would potentially hold back an individual and their career goals.

The Department respects the shortage of workers across all sectors, including education. But we feel this bill is not necessary as there are already local policies in place for school boards and districts to utilize.

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