



1 **Testimony In Support**

2 **HB 1259 – Short Term/Grant Funded positions**

3 Chairman Elkin and members of the Senate Education committee, I am representing the
4 North Dakota Council of Educational Leaders representing school leaders across North
5 Dakota.

6 Schools in North Dakota have always dealt with issues where they have had short term
7 positions. Whether these positions are short in tenure or are grant funded positions
8 created and needed for varying instances (short term grants awarded, COVID Funding)
9 there is a myriad of rational reasons why offering a regular contract for a limited scope
10 position isn't in the best interest of the school district or for the individual agreeing to do
11 that work. In the past, schools have often written short term contracts and ensured that
12 both parties were aware – it worked well. However recently this practice was
13 challenged, so it was recommended to get rid of any grey area and make it clear in law.

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15 Currently districts run into issues with these positions with continuing contract law
16 (familarly understood as teacher tenure) and have limited ways to end those positions
17 in a graceful fashion. During COVID this put even more duress on schools who wanted
18 to hire additional staff to support students but were challenged with ongoing continuing
19 contract costs and ultimately could not make that choice fiscally. Districts often write
20 for limited duration grants and the ability to hire staff for those grants and to be fiscally
21 responsible is appropriate. It is an employer right that exists in most all other industries
22 in North Dakota.

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24 This bill very easily and cleanly creates a pathway for schools to be able to hire
25 individuals for short term positions and it bears tremendous logic. If the contract
26 clearly indicates that the employment is limited in nature and includes with it no
27 continuing contract rights (both the parties very clearly understand that language in the
28 contract) offering such a contract would be permissible.

29 We ask that you consider this testimony as you discuss the bill.