

2011 SENATE EDUCATION

SB 2311

2011 SENATE STANDING COMMITTEE MINUTES

Senate Education Committee
Missouri River Room, State Capitol

SB 2311
January 31, 2011
13662

☐ Conference Committee

Committee Clerk Signature

Kathy Orville

Explanation or reason for introduction of bill/resolution:

Relating to the North Dakota teacher of the year award

Minutes:

Testimony attached

Senator Freborg called the committee to order, roll was taken by the clerk and all committee members were present. Senator Gary Lee, the bill's prime sponsor, introduced the bill to the committee. See attached testimony #1.

Senator Heckaman: How the teacher was selected by DPI prior to the NDEA taking over?

Senator G. Lee: My understanding is that DPI had the award process until 2000, I believe and that they had a process that they used and developed to make that recognition and how it would play out.

Senator Flackoll: In terms of the Fiscal Note, does the recipient receive any type of cash award?

Senator G. Lee: I am not aware if they do. My understanding is that it was for expenses and trip to National convention in Washington D.C.

Jon Martinson: NDSBA. This program was initiated with the National Chief State School Officers, it belongs with the Department of Public Instruction and given that funding has been restored we support this legislation with the selection going back to DPI.

Senator Luick: The recipient that received it when NDEA had control of it, did they actually go to Washington D.C.?

Jon Martinson: She did go and was given funds from DPI.

Senator Flackoll: Are there states that allow private schools to participate in the program?

Jon Martinson: I am not aware of that but I am not opposed to having someone on the selection committee representing private schools if the committee thinks that would be a good idea.

Senator Flackoll: Is a teacher from a private school eligible in the bill as drafted?

Jon Martinson: There is nothing in state law that would not allow a private school teacher to be a candidate.

Jack McDonald: State Association of Non-Public Schools. We support the bill but consider an amendment to add a representative of the State Association of Non-Public Schools to the list of the committee members. I would somewhat question why a representative of the North Dakota University's office is on the committee when the teacher of the year award is only for elementary and secondary teachers.

There was no one else present to testify in support of the bill. Chairman Freborg opened the floor to opposition on SB 2311.

Dakota Draper: NDEA. See attached testimony #2. The Teacher of the Year is picked by the people you see listed on Lines 13-20, we are just one small part of that. In terms of the situation that came up a couple years ago with a non member receiving the award, we had a general assembly for this person and they were given the award by the governor.

Senator Heckaman: In looking at section 3 what is your suggestion?

Dakota Draper: I think that we should leave it the way it is. We work very hard to make that ceremony the best that we can possibly make it. We have a couple staff members who spend a lot of time who work on it; also, it is an event that is open to the public and we want to make it special for them as well.

Senator Heckaman: How many teachers were honored in 2008?

Dakota Draper: It was the same as we have done before, it was just the same.

Senator Luick: Is this a black eye for NDEA? What would be handled differently?

Dakota Draper: Nothing done wrong with the ceremony; the issue for that year was the Ceremony of Excellence. The teacher who won the award was not a member of NDEA and the ceremony was just for our members.

Senator G. Lee: What is the attendance like for your October conference?

Dakota Draper: The total attendance at the general assembly is usually about 500.

Senator G. Lee: How many people belong to your organization?

Dakota Draper: We have about 8,800 members.

Senator G. Lee: Is it standard procedure that you pay for the teacher of the year to go the national event?

Dakota Draper: DPI pays and if the person who wins is a NDEA member then we add to it.

Senator Freborg: Perhaps someone can explain the allocation of the \$14,000 in the Fiscal Note.

Dr Wayne Sanstead: The money is used for the operations of the program to pay the expenses of those who participate in the selection process and who provide funds for the national recognition of the teacher.

Senator Freborg: Does that \$14,000 include airfare?

Dr Wayne Sanstead: They do have some other events as well, NASA frequently asks the teacher of the year to come to a summer conference. We try to provide additional expenses if they go to public meetings.

Senator Flackoll: What alignment points does it have with SB 2150?

Dr Wayne Sanstead: I have not paid close attention; there should be some overlap because of the criteria.

Senator Freborg: Do the teacher of the year, in attending various events, take money out of their own pocket?

Dr Wayne Sanstead: We try to cover all expenses, we have had teachers of the year get stuck in transit and we cover those costs once they have been voucher.

Jon Martinson: As a result of talking to Pat Lawback who has coordinated this program, on the trips. These teachers go to Dallas each year and the registration/ground transportation is paid by DPI the flight, however was paid by the National Chief State School Association. The second trip they take is the trip to Washington D.C. and that trip is paid for by DPI. The next thing that they do is go to the International Space Camp in Huntsville, AL and NASA covers most of those expenses. The expenses that are not covered are taken care of by DPI.

Senator Heckaman: In covering those expenses throughout the year, does the school that the Teacher of the Year is from get compensated for substitute pay for that day?

Jon Martinson: I am not sure.

Senator Flackoll: So if we kill the bill it would put a crimp their ability to participate?

Jon Martinson: I think that we would be back to the situation we were back to in 2008.

Senator Freborg: And you think that \$14,000 is enough for the Teacher of the Year to be able to travel to these events and not have to pay any out of pocket costs?

Jon Martinson: Based upon my conversation with Pat Lawback, yes.

Wayne Sanstead: I think that it needs to be said that the actual \$14,000 is in the DPI bill, not in this bill.

Senator Heckaman: Do you know if the school that the teacher comes from gets compensated?

Wayne Sanstead: My recollection is that the district still pays for the substitute.

Senator Heckaman: I would like to see the school be compensated for the substitute pay.

Senator Luick: If the bill passes is there a better time for the recognition ceremony than September?

Senator G Lee: September seems to be a good month for travel and it doesn't conflict with the NDEA event.

Senator Heckaman: September is not a bad time and NDEA could recognize at their conference.

Senator Freborg then closed the public hearing on SB 2133. Senator Heckaman and Senator G. Lee will both be bringing amendments to the committee.

2011 SENATE STANDING COMMITTEE MINUTES

Senate Education Committee
Missouri River Room, State Capitol

SB 2311
January 31, 2011
13674

☐ Conference Committee

Committee Clerk Signature

Kate Quigg

Explanation or reason for introduction of bill/resolution:

Relating to North Dakota Teacher of the Year award

Minutes:

Senator Heckaman explained the amendments for SB 2311.

Senator Heckaman made a motion to adopt the amendments to SB 2311 with a second by Senator Luick.

Senator Flackoll: Beyond 'sanctioned events' what is also counted in the duties of the Teacher of the year?

Senator Heckaman: I wouldn't see why they wouldn't, it allows up to 18 days out of the school year. Although the amendment says 'relating to attending National Teacher of the Year events' maybe we need to amend the amendment.

Senator Flackoll: Intent would be that they should.

Senator Heckaman: May I withdraw my amendment?

Senator Freborg: Let's come with a new clean amendment. What else should be in the new amendment?

Senator Flackoll: I believe they should be able to attend the events they are invited to.

Senator Flackoll: Any portion not used can be reverted to the general fund.

Senator Luick: What general fund?

Senator Freborg: The state's general fund.

Senator Flackoll: There would be an ongoing appropriation also.

2011 SENATE STANDING COMMITTEE MINUTES

Senate Education Committee
Missouri River Room, State Capitol

SB 2311
January 31, 2011
13675

☐ Conference Committee

Committee Clerk Signature

Katie Oliver

Explanation or reason for introduction of bill/resolution:

Relating to the North Dakota Teacher of the year

Minutes:

No written testimony.

Senator Luick: Are we in agreement that the date of the award ceremony would still remain in September and if NDEA chooses to incorporate their program with the Teacher of the Year award ceremony that is up to them or are we just staying out of that.

Senator G. Lee: My thought is that it would be a separate announcement in a separate place if NDEA chooses to do something at their own meeting in regard to that it would be up to them.

2011 SENATE STANDING COMMITTEE MINUTES

Senate Education Committee
Missouri River Room, State Capitol

SB 2311
January 31, 2011
13736

☐ Conference Committee

Committee Clerk Signature	
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Explanation or reason for introduction of bill/resolution:

Relating to the North Dakota teacher of the year.

Minutes:

No written testimony.

Senator G. Lee: The amendments proposed to SB 2311 were part of discussion during the bill hearing. Take out NDUS off and replace it with nonpublic school and change great to memorial hall.

A motion was made by Senator G. Lee to adopt the amendments ending in .02001 to SB 2311 with a second by Senator Luick, roll was taken and the motion passed 7-0. Senator G. Lee then made a motion for a do pass as amended with a second by Senator Flakoll, roll was taken and the motion passed with Senator Luick carrying the bill to the floor.

FISCAL NOTE
Requested by Legislative Council
04/14/2011

Amendment to: Reengrossed
SB 2311

1A. State fiscal effect: *Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.*

	2009-2011 Biennium		2011-2013 Biennium		2013-2015 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues	\$0	\$0	\$0	\$0	\$0	\$0
Expenditures	\$0	\$0	\$14,000	\$0	\$14,000	\$0
Appropriations	\$0	\$0	\$14,000	\$0	\$14,000	\$0

1B. County, city, and school district fiscal effect: *Identify the fiscal effect on the appropriate political subdivision.*

2009-2011 Biennium			2011-2013 Biennium			2013-2015 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts
\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0

2A. Bill and fiscal impact summary: *Provide a brief summary of the measure, including description of the provisions having fiscal impact (limited to 300 characters).*

B. Fiscal impact sections: *Identify and provide a brief description of the sections of the measure which have fiscal impact. Include any assumptions and comments relevant to the analysis.*

\$14,000 provides funding for the North Dakota Teacher of the Year Program.

3. State fiscal effect detail: *For information shown under state fiscal effect in 1A, please:*

A. Revenues: *Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.*

B. Expenditures: *Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.*

C. Appropriations: *Explain the appropriation amounts. Provide detail, when appropriate, for each agency and fund affected. Explain the relationship between the amounts shown for expenditures and appropriations. Indicate whether the appropriation is also included in the executive budget or relates to a continuing appropriation.*

The Executive Budget recommendation includes \$14,000 in SB 2013 for the ND Teacher of the Year Program.

Name:	Patricia A. Laubach	Agency:	Public Instruction
Phone Number:	328-4525	Date Prepared:	04/15/2011

FISCAL NOTE
Requested by Legislative Council
03/30/2011

Amendment to: Reengrossed
SB 2311

1A. State fiscal effect: *Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.*

	2009-2011 Biennium		2011-2013 Biennium		2013-2015 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues	\$0	\$0	\$0	\$0	\$0	\$0
Expenditures	\$0	\$0	\$14,000	\$0	\$14,000	\$0
Appropriations	\$0	\$0	\$14,000	\$0	\$14,000	\$0

1B. County, city, and school district fiscal effect: *Identify the fiscal effect on the appropriate political subdivision.*

2009-2011 Biennium			2011-2013 Biennium			2013-2015 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts
\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0

2A. Bill and fiscal impact summary: *Provide a brief summary of the measure, including description of the provisions having fiscal impact (limited to 300 characters).*

B. Fiscal impact sections: *Identify and provide a brief description of the sections of the measure which have fiscal impact. Include any assumptions and comments relevant to the analysis.*

\$14,000 provides funding for the North Dakota Teacher of the Year Program.

3. State fiscal effect detail: *For information shown under state fiscal effect in 1A, please:*

A. Revenues: *Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.*

B. Expenditures: *Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.*

C. Appropriations: *Explain the appropriation amounts. Provide detail, when appropriate, for each agency and fund affected. Explain the relationship between the amounts shown for expenditures and appropriations. Indicate whether the appropriation is also included in the executive budget or relates to a continuing appropriation.*

The Executive Budget recommendation includes \$14,000 in SB 2013 for the ND Teacher of the Year Program.

Name:	Patricia A. Laubach	Agency:	Public Instruction
Phone Number:	328-4525	Date Prepared:	03/30/2011

FISCAL NOTE

Requested by Legislative Council
01/25/2011

Bill/Resolution No.: SB 2311

1A. State fiscal effect: *Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.*

	2009-2011 Biennium		2011-2013 Biennium		2013-2015 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues	\$0	\$0	\$0	\$0	\$0	\$0
Expenditures	\$0	\$0	\$14,000	\$0	\$14,000	\$0
Appropriations	\$0	\$0	\$14,000	\$0	\$14,000	\$0

1B. County, city, and school district fiscal effect: *Identify the fiscal effect on the appropriate political subdivision.*

2009-2011 Biennium			2011-2013 Biennium			2013-2015 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts
\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0

2A. Bill and fiscal impact summary: *Provide a brief summary of the measure, including description of the provisions having fiscal impact (limited to 300 characters).*

B. Fiscal impact sections: *Identify and provide a brief description of the sections of the measure which have fiscal impact. Include any assumptions and comments relevant to the analysis.*

\$14,000 provides funding for the North Dakota Teacher of the Year Program.

3. State fiscal effect detail: *For information shown under state fiscal effect in 1A, please:*

A. Revenues: *Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.*

B. Expenditures: *Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.*

C. Appropriations: *Explain the appropriation amounts. Provide detail, when appropriate, for each agency and fund affected. Explain the relationship between the amounts shown for expenditures and appropriations. Indicate whether the appropriation is also included in the executive budget or relates to a continuing appropriation.*

The Executive Budget recommendation includes \$14,000 in SB 2013 for the ND Teacher of the Year Program.

Name:	Patricia A. Laubach	Agency:	Public Instruction
Phone Number:	328-4525	Date Prepared:	01/25/2011

11.0681.02001
Title.

Prepared by the Legislative Council staff for
Senator G. Lee

January 31, 2011

PROPOSED AMENDMENTS TO SENATE BILL NO. 2311

Page 1, line 20, replace "the North Dakota university system office" with "nonpublic schools in this state"

Page 1, line 22, replace "great" with "memorial"

Renumber accordingly

#1 Attachment

Date: 1-31-11
Roll Call Vote # 1A

2011 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 234

Senate Education Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number 11.0681.02001

Action Taken: ☒ Do Pass ☐ Do Not Pass ☐ Amended ☐ Adopt Amendment
☐ Rerefer to Appropriations ☐ Reconsider

Motion Made By Sen. Gary Lee Seconded By Sen Luick

Senators	Yes	No	Senators	Yes	No
Chairman Layton Freborg	X		Senator Joan Heckaman	X	
Vice Chair Donald Schaible	X		Senator Richard Marcellais	X	
Senator Tim Flakoll	X				
Senator Gary A. Lee	X				
Senator Larry Luick	X				

Total (Yes) 7 No 0

Absent 0

Floor Assignment _____

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

Date: 1-31-11
Roll Call Vote # 13

2011 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2311

Senate Education _____ Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken: ☒ Do Pass ☐ Do Not Pass ☒ Amended ☐ Adopt Amendment

☐ Rerefer to Appropriations ☐ Reconsider

Motion Made By Sen. G. Lee Seconded By Sen. Flakoll

[illegible]

Total (Yes) 7 No 0

Absent 0

Floor Assignment Sen. Luick

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

2011 HOUSE EDUCATION

SB 2311

2011 HOUSE STANDING COMMITTEE MINUTES

House Education Committee
Pioneer Room, State Capitol

SB 2311
03/08/11
15107

☐ Conference Committee

Committee Clerk Signature



MINUTES:

Chairman RaeAnn Kelsch: We will open the hearing on SB 2311.

Sen. Gary Lee: Sponsor. This bill is being introduced to ensure an ongoing process for the procedure for selecting and recognizing the North Dakota teacher of the year. The North Dakota teacher of the year program began back in as far back as 1952 as part of a plan to recognize a national teacher of the year. It is a project of the National Council of State School Officers. The nominations for teacher of the year must come from a teacher, school administrator, school district trustee, local education associations, student, or parent. Back in 2000, DPI lacked funding to continue its sponsorship of the program so they passed oversight management and coordination of that program to the North Dakota Education Association. In 2008 the person chosen as teacher of the year wasn't allowed to attend the reception honoring her selection because she wasn't an NDEA member. The association refused to pay expenses for her trip to Washington D.C. where the national teacher of the year is announced. Funding for the program was restored to the DPI budget during the 2009 legislative session. Your current executive budget request has 14,000 dollars for the biennium. In reference to the re-engrossed bill, lines 7-18 and 20 reflect a current process that is in place. Line 19 of the bill was a floor amendment adding the whole association to the selection committee. Line 21 was a Senate Education Committee amendment adding the nonpublic school member in place of the North Dakota University System.

Chairman RaeAnn Kelsch: Sen. Lee could I'll have you take a step back on that one. What does the Home School Association have to do with a teacher of the year award? Certainly they are not going to give an award to a parent.

Sen. Gary Lee: This just adds them to that selection committee once a nominee comes forward.

Chairman RaeAnn Kelsch: I understand that but what role do they play in that when they are not in the public school system and they don't have anything to do with the public school system. At times they have their children go there but what would they know about the criteria for a public or nonpublic teacher that is in the classroom all the time?

Sen. Gary Lee: Like I said it was a floor amendment that came in unannounced. Like I said a parent or student can bring a nominee forward. I suppose this gives the home

schoolers an added opportunity to support that particular nominee that should come from that group. That would be my understanding why the bill had that amendment. As I mentioned on line 21 we replaced the nonpublic member in place of NDUS member. Lines 22 and 23 change the time and place of the award to September in Memorial Hall in the North Dakota State Capitol. Those are the comments that outline the bill and I hope you will support the bill.

Rep. Phillip Mueller: The last portion of the bill is of interest to me. We are going to do the award presentation in September in the Great Hall. What was the background of the timing of the award previous to this?

Sen. Gary Lee: Over the last several years when it has been under NDEA it has been at their convention in October wherever that was held.

Rep. Phillip Mueller: What we will be doing here should this pass is we will have the occasion here in the Great Hall and probably there will be no teachers or very few around... to acknowledge their fellow teacher of the year. Would that be correct?

Sen. Gary Lee: That could be and maybe not. Maybe there would be a lot of teachers there. It is a place of recognition, honor, high prestige, and a lot of events are held in that particular location. It is an opportunity for the governor to be there or some of his staff, the public in terms of DPI and their association, and it is a time of the year that is nice to travel and doesn't conflict with the NDEA's convention. They can also be recognized in that setting if they chose to do that.

Chairman RaeAnn Kelsch: Could you leave it open ended so it could be determined by the governor or the superintendent for whenever they would want to determine the date rather than us statutorily requiring it?

Sen. Gary Lee: I suppose it could work. This lets everyone plan in terms of a date and time.

Chairman RaeAnn Kelsch: One of the times I am thinking of for an example is the start of deer hunting season because school is out and it seems to be a state holiday to begin with. It seems that you could potentially have it something like that so it would give more of an opportunity but not necessarily set a specific date. Maybe it could be something that the governor and the superintendent could work out that maybe would fit better for them rather than us dictating the date.

Sen. Gary Lee: I would be open to that discussion. I am not necessarily firm on that date I just thought it would be a good date and time and it would allow both groups to have an opportunity.

Chairman RaeAnn Kelsch: When you put this bill back together again did you pattern it after the old law?

Sen. Gary Lee: Yes. It really is the same practice that has been in place. We just modified the committee membership, the time and the place.

Chairman RaeAnn Kelsch: You had added in on your original bill the North Dakota University Systems.

Sen. Gary Lee: That was an original committee member.

Chairman RaeAnn Kelsch: When we first had this bill originally, correct?

Sen. Gary Lee: That is right. We just didn't see the importance of them being there.

Rep. Phillip Mueller: I have a question regarding line 19. Did that come in as a request from the home school association or where did that come from?

Sen. Gary Lee: The senator from district 10 offered that amendment on the floor. I am not sure what the idea was for him to put that in place. Knowing that there is a pretty strong home school contingency there. I could have come from that group. I believe the home schoolers were in attendance the day the bill was heard on the floor and maybe that had some influence.

Chairman RaeAnn Kelsch: That is why I asked the question. That is the reason why I heard it was introduced but it doesn't really make sense in this context of selection of this award. I heard it was done because they were in attendance.

Rep. John Wall: I'm not quite clear on the rationale of changing the date and venue. Is it because the teacher of the year might not be a NDEA member?

Sen. Gary Lee: My intention is that all teachers have the opportunity to be recognized and be included in those things that accompany being the teacher of the year. It happened in 2008 where that didn't occur. This allows that opportunity for all teachers to be recognized.

Rep. Bob Hunsakor: The location kind of bothers me. If a teacher from Crosby was awarded teacher of the year it seems like there wouldn't be many teachers here. To me it is very important to have that done with the fellow peers present.

Chairman RaeAnn Kelsch: Further questions? Further testimony in support of SB 2311?

Jon Martinson – NDSBA: In our last convention our delegation passed a resolution to support a bill such as this. I say such as this because I will make some comments on some of the changes that were made in the senate. I will be very clear about the date and time. The purpose is to take it away of the NDEA's convention due to their practice in 2008. I would also address the comment about the date and location and why we are requesting that the legislature specify that date and location. The reason is because when we worked on a similar bill in the previous session it did not specify the date and location although in my opinion and the opinion of other legislators the intent was very clear. The effort was to bring it back to DPI. Since we did not specify a date and location, the NDEA was again able to have the announcement at their convention which wasn't the intent of the people that were working on that piece of legislation. We do have a recommendation that I would like to pass on to you and that was addressed briefly by you in terms of the representative from

the Home School Association being on this section committee. As you know the home school teachers are not required to have a college degree, a teacher's certificate, and they are certainly not highly qualified. In addition to that DPI does not have supervisory control or a role over home school teachers. There is no state approval, accreditation, or certification. The reason I mention these things is because should a home school teacher be selected by the committee, that teacher would not be eligible for the national teacher of the year award. According to their criteria at the national level the teacher must be in a state approved or a state accredited school. If a home school teacher were selected, North Dakota would be in a rather embarrassing situation of forwarding the name of an individual and then not having that person be considered. We recommend that the representative from the Home School Association not be included on the selection committee.

Chairman RaeAnn Kelsch: I'm going to go back to the date. It isn't that I am saying that it should be held during the NDEA convention. What I am saying is that you could basically say that each year the Superintendent of Public Instruction and the Governor of North Dakota shall host the award in the Memorial Hall or wherever you want to have it and then award recipient is announced. The basic reason is to make sure there are people there for it so it would maybe be a better determination for them to decide when you would get people here for it. And who knows maybe you wouldn't get people here for it anyway. I don't know. I was just thinking you could do something like that and leave it up to them to determine the best date possible. It would be nice to be recognized during a legislative session and have that flexibility so that the legislators could acknowledge them as well.

Rep. John Wall: Do you know of any other professional organizations that honor their outstanding members at something other than an annual meeting

Jon Martinson – NDSBA: No I don't.

Chairman RaeAnn Kelsch: Further Questions? Further testimony in support? Opposition?

Dakota Draper – President, NDEA: (Testimony attachment 1).

Vice Chair Lisa Meier: What percentage of North Dakota teachers are actually members of the NDEA?

Dakota Draper – President, NDEA: About 70% are members.

Vice Chair Lisa Meier: Out of that 70 % of teachers that are members of the NDEA, how many of those teachers actually attend the conference per year?

Dakota Draper – President, NDEA: Not a large amount in terms of percentage. I do not know the percentage off the top of my head.

Vice Chair Lisa Meier: If you don't know could you get a current percentage from the last convention?

Dakota Draper – President, NDEA: Yes.

Rep. David Rust: Can you refresh the committee what happened in 2008? You said that they were denied nothing. Can you tell me what you did for the teacher of the year and what year?

Dakota Draper – President, NDEA: I think a better person to answer that would be LeAnn Nelson.

LeAnn Nelson – NDEA: Could you please repeat your question?

Rep. David Rust: I would like you to tell us what was done in 2008 since you made the statement that they were not denied anything that is provided and publicly you did everything that is normally done in honoring the teacher of the year. Was that person brought to the convention and introduced? Could you refresh for me what particularly happened that year?

LeAnn Nelson – NDEA: The selection was done in August by the committee and after I found out who the person was that was being awarded, I made contact with that person and went through all the events for that year. Dakota also met with the teacher of the year and went through what would be happening during the year and said that this particular one was a members only event. We proceeded with that and I got the application in order and told her that she would have to relook at it because the application would then go in for nationals. Like all the four finalists she was emailed some information about the convention and when she needed to be there. We had the ceremony, everyone was in attendance, and the following evening she came to the event and she mentioned that she forgot about the one piece about the members only event. The following day I met with her and we went over it again and then everything started happening and DPI took over.

Rep. David Rust: Was that individual introduced to the teachers that were at the convention?

LeAnn Nelson – NDEA: At the general session the teacher of the year is always announced and it is open to the public, other teachers in attendance, and anybody who would like to be there for the announcement.

Rep. David Rust: Was that individual there?

LeAnn Nelson – NDEA: Yes.

Rep. Phillip Mueller: It would seem to me that the teacher of the year might have very well been an invited guest to that function.

Dakota Draper – President, NDEA: The initial announcement takes place at 9:00 o'clock where we have our general session in the morning. We go through a day of all kinds of events. The event that is in question took place at 4:00 PM. It was a reception for NDEA members in terms of honoring some of our members. I did point out to this person in question that they would not be allowed to attend. We had a misunderstanding and whether who is to blame is water under the bridge but it did happen and she showed up

and I had to ask her to leave because it was only for our members. It started at that event. That was the only time that we had a problem with that. The teacher in question is a great educator. We just couldn't allow her to attend an event that we had already told her was for our members only.

Vice Chair Lisa Meier: Has there ever been a non NDEA member nominated for this award before this individual?

Dakota Draper – President, NDEA: Not to my memory but I'm not going to stand here and tell you that it has never happened. I can't remember it ever happening.

Rep. Bob Hunskor: I understand all public school teachers belonging to NDEA or not belonging are eligible for this award.

Dakota Draper – President, NDEA: Yes.

Rep. Bob Hunskor: Was the person involved here told well ahead of time that she was not to be involved in this particular event?

Dakota Draper – President, NDEA: I talked to her about six weeks prior to the event and gave a list of things to her. Later on when we did have a conversation about all of this she mentioned that she did not look at that list very carefully.

Rep. Karen Rohr: Where is the official list of awardees kept? Could we find that list and would it indicate whether they were NDEA members?

Dakota Draper – President, NDEA: I would guess DPI has it. It is mainly their program.

Chairman RaeAnn Kelsch: I would guess it wouldn't indicate if they were a member of NDEA or not because that is not part of the criteria. Further questions? Further opposition? Is there any neutral testimony? We will close the hearing on SB 2311.

2011 HOUSE STANDING COMMITTEE MINUTES

House Education Committee
Pioneer Room, State Capitol

SB 2311
03/28/11
16059

☐ Conference Committee

Committee Clerk Signature



MINUTES:

Chairman RaeAnn Kelsch: We will open on SB 2311. This is for the North Dakota Teacher of the Year. Rep. Hatlestad came to me and he had the Teacher of the Year sit with him on the floor and they visited about the bill itself. He came to me and recommended that we have a compromise and have it so the Teacher of the Year is announced during the NDEA convention but then also have the Governor and Superintendent host a ceremony. She didn't like the fact that it was going to be held at the state capitol. She said it could be but it wouldn't have to be. She said nothing would have given her greater pleasure than to have had her ceremony honor her at her school. I know that Rep. David Rust had made that comment and she said it was indeed an honor to receive the award and to be recognized at the convention but she thought it would be a good idea to be doubly recognized. The biggest reason for that to is because sometimes we don't do enough for the really great ones and she thought it would be kind of neat to do that. That is what this amendment does and it also removes the representative from the Home School Association because that was an amendment that was added on the senate floor and they don't want to be a part of it anyway. I can't guarantee you that this won't go to conference committee but Rep. Hatlestad was very passionate about this. I had to agree with him because I thought that it probably wasn't a bad idea especially coming from a teacher that said she appreciated being honored there but would still like it if the Governor and Superintendent honored her someplace else that wasn't restricted to the capitol.

Rep. Phillip Mueller: I visited with the Teacher of the Year and she sent an email that reflects what you said. She said in the email and when we visited that there is some value in having the award presented at the convention as an inspirational thing for other teachers that might be in attendance. She was fairly adamant about the fact that 1 of the presentations should be at the convention.

Chairman RaeAnn Kelsch: We left it open to so you could potentially have it at the capitol and so the Governor and Superintendent could figure that out themselves.

Vice Chair Lisa Meier: I think it is important to recognize that we do have a percentage of educators that don't go on to the North Dakota Education Association and the fact that 1 of them could be nominated for North Dakota Teacher of the Year next year and the years following.

Chairman RaeAnn Kelsch: The way the law reads is they would have to be recognized at the convention so they can't get around it anyway and not that they would. I would entertain a motion.

Rep. John Wall: I will move the amendment 04003.

Rep. Phillip Mueller: Second.

Chairman RaeAnn Kelsch: We will try a voice vote.

Voice vote: motion carries.

Chairman RaeAnn Kelsch: We now have amended SB 2311 before us. What are the wishes of the committee?

Rep. Phillip Mueller: I move a do pass as amended.

Rep. Joe Heilman: Second.

Chairman RaeAnn Kelsch: Further discussion?

Rep. Karen Karls: So basically the contest would be under the purview of the Department of Public Instruction or under the teachers associations?

Chairman RaeAnn Kelsch: Which one?

Rep. Karen Karls: If they are not a member of the NDEA who will pick up the expenses?

Chairman RaeAnn Kelsch: It would certainly be my hope that their school district would do something for them. Their school board certainly would want to see them recognized so I am assuming they would do something for them. There is an appropriation for in SB 2013 in the DPI budget. We have a do pass as amended motion on SB 2311. We will take the roll. Motion carries. We will close on SB 2311.

**10 YEAS 4 NAYS 1 ABSENT
CARRIER: Rep. David Rust**

DO PASS as Amended

VR
3/28/11

PROPOSED AMENDMENTS TO REENGROSSED SENATE BILL NO. 2311

Page 1, line 10, replace "an eight-member" with "a"

Page 1, remove line 19

Page 1, line 20, replace "g." with "f."

Page 1, line 21, replace "h." with "g."

Page 1, replace lines 22 through 24 with:

- "3. The teacher of the year award recipient must be announced during the annual convention of the North Dakota education association. At a mutually agreeable time after the annual convention, the governor and the superintendent of public instruction jointly shall host a ceremony at which the award recipient is recognized."

Renumber accordingly

Date: 03-28-11
Roll Call Vote #: VOICE VOTE

2011 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2311

House EDUCATION Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken: ☐ Do Pass ☐ Do Not Pass ☐ Amended ☒ Adopt
Amendment

☐ Rerefer to Appropriations ☐ Reconsider

Motion Made By REP. WALL Seconded By REP. MUELLER

Representatives	Yes	No	Representatives	Yes	No
Chairman Kelsch			Rep. Hanson		
Vice Chairman Meier			Rep. Hunsakor		
Rep. Heilman			Rep. Mock		
Rep. Heller			Rep. Mueller		
Rep. Johnson					
Rep. Karls					
Rep. Rohr					
Rep. Rust					
Rep. Sanford					
Rep. Schatz					
Rep. Wall					

Total (Yes) _____ No _____

Absent _____

Floor Assignment _____

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

VOICE VOTE MOTION CARRIES

Date: 03-28-11
Roll Call Vote #: _____

2011 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2311 reengrossed

House EDUCATION Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken: ☒ Do Pass ☐ Do Not Pass ☒ Amended ☐ Adopt
Amendment

☐ Rerefer to Appropriations ☐ Reconsider

Motion Made By REP. MUELLER Seconded By REP. HEILMAN

Representatives	Yes	No	Representatives	Yes	No
Chairman Kelsch	X		Rep. Hanson	X	
Vice Chairman Meier	X		Rep. Hunsakor	X	
Rep. Heilman	X		Rep. Mock		
Rep. Heller		X	Rep. Mueller	X	
Rep. Johnson	X				
Rep. Karls		X			
Rep. Rohr		X			
Rep. Rust	X				
Rep. Sanford	X				
Rep. Schatz		X			
Rep. Wall	X				

Total (Yes) 10 No 4

Absent 1 - REP. MOCK.

Floor Assignment REP. RUST

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

REPORT OF STANDING COMMITTEE

SB 2311, as reengrossed: Education Committee (Rep. R. Kelsch, Chairman)
recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends
DO PASS (10 YEAS, 4 NAYS, 1 ABSENT AND NOT VOTING).
Reengrossed SB 2311 was placed on the Sixth order on the calendar.

Page 1, line 10, replace "an eight-member" with "a"

Page 1, remove line 19

Page 1, line 20, replace "g." with "f."

Page 1, line 21, replace "h." with "g."

Page 1, replace lines 22 through 24 with:

"3. The teacher of the year award recipient must be announced during the annual convention of the North Dakota education association. At a mutually agreeable time after the annual convention, the governor and the superintendent of public instruction jointly shall host a ceremony at which the award recipient is recognized."

Renumber accordingly

2011 SENATE EDUCATION

CONFERENCE COMMITTEE

SB 2311

2011 SENATE STANDING COMMITTEE MINUTES

Senate Education Committee
Missouri River Room, State Capitol

SB 2311
April 11, 2011
16464

☒ Conference Committee

Committee Clerk Signature



Explanation or reason for introduction of bill/resolution:

Relating to the North Dakota Teacher of the Year award.

Minutes:

No "attached testimony."

Chairman Gary Lee called the Conference Committee meeting to order; members present: **Senators Freborg and Marcellais, Representatives Johnson, Meier, Hunsakor.**

Chairman Lee asked the House members to explain the reasons for changes they made to the bill.

Representative Meier: There were changes made to the Engrossed bill; feels they are willing to do some more. Some discussion on the original format in the House and the 2011 Teacher of the Year asked for changes to the language. It would be up to the Governor and Superintendent of Public Instruction to decide by . . .

Representative Johnson: Took out the member of non-public school association be a member of the panel because they didn't feel they had any concern about that process.

Representative Hunsakor: His thoughts—understands it can be given out in a lot of locations; advantages and disadvantages and toyed with that a lot. He came up with a couple of things to have in mind moving forward. It is important to remember that the teacher of the year selection process involves more than the teacher of the year. It involves four finalists and each of those finalists are at the instructional conference, have a chance to share their thoughts about teaching, testimonies; the award also involves all of the teachers of North Dakota. There are hundreds of them at this convention and they get to hear the teacher of the year share their story in receiving the award; they get to hear the finalists. He had to keep in mind that there is more involved than the teacher of the year. The second point he makes is that while it is true that what happened at the former instructional conference was unfortunate. Don't feel that should be the motivation for determining what is best in selecting future teacher of the year winners. Not saying it is the motivation for that; but have to guard against it in his own mind.

The teacher of the year selection is a big deal; it should not be crafted but what is best for the future of that particular award. Location also comes into the picture. If receiving the award is best at the capitol, and that's what the teachers of North Dakota want—great. If it is best to be in the home community; if it is at the instructional conference—have at it.

Think need to look at what's best and what the teachers and former teachers of the year feel about this.

The 2010 winner from Des Lacs said: As a young teacher I still remember the stories told by the finalists and hearing the words of the teacher of the year. That tells him that teachers that are at the instructional conference receive inspiration and motivation listening to the finalists and Teacher of the Year. That may be gone if it is held at another location. How important is that—can we put a value on that, or does it make any difference? Does it make any difference if the finalists are involved? She also said—after she became Teacher of the Year, looking at my peers filled me with honor and awe. I realized that there were other teachers that were deserving of this award. Realized that it was her responsibility for representing the teachers and students of our state—how do you put a value on that? She also said that a ceremony at the capitol would be memorable, but it would not have the impact that the current process has on the finalists or the teachers of North Dakota.

The 2011 winner said regardless of union membership, the strength of the teacher of the year process lies within the teachers. There is no comparison to being surrounded by your peers when stepping into the sizeable shoes of the Teacher of the Year. He has contacted several past TOY to get their opinion and to keep an open mind.

Representative Meier: Approximately 70% of the North Dakota teachers belong to North Dakota Education Association; and about 10% attend the instructional conference. Perhaps we should change the language back to the original content of the bill, and have the ceremony held wherever the winner would like—capitol, the recipient's home town; the teacher of the year, if an North Dakota Education Association member could certainly be addressed at the conference as well. That may be good language to look at.

Representative Hunsakor: In visiting with former TOY winners, and think we really need to pay attention to what they said, all of them said to stand before my peers was the highlight of it all. When people say those things that is pretty powerful. Would not like to take that away; the TOY surrounded by their peers. Everybody is excited, four finalists stand there with no clue who will get the award, and the winner is announced. That is a pretty special moment.

Representative Meier: Those are really great points; thought that maybe it would be a great idea too, what better than the recipient of the award receiving it in his/her home town, amidst peers there. Obviously respected, looked up to, what a better opportunity for that individual to receive that award then at their hometown if he/she chooses.

Senator Freborg: This would be fine if the teacher were in a reasonable distance from Bismarck for the Governor and Superintendent of Public Instruction to travel—and hopefully a few other teachers? Think it works fine if the TOY is from (Wilton), but if they live 250 miles away it is a little problem.

Representative Meier: Think that is a good point and if he/she chooses, then they could have the award at the capitol as well as the North Dakota Education Association convention. Think it would be up to the individual to decide whether or not he/she would

want to receive the award at the hometown, or capitol or instructional convention. Still let them decide that. Need to take into account individuals that are not North Dakota Education Association members. Not sure how many new teachers are actually joining. Think it is good to look at everything well rounded.

Representative Johnson: Think the thoughts behind that also is that there are always events going on around the state for the Governor or Superintendent to go out and give this award—to give that teacher the opportunity in front of his/her peers, community, family.

Senator Freborg: Wouldn't that work just as well if the Governor made that presentation up here in the afternoon, and that night he/she was honored in front of peers at the banquet for North Dakota Education Association? Then we would have accomplished both—received the award from the Governor and also appeared before peers and be honored there.

Representative Johnson: Certainly would be quite an honor to be at both of those receptions; guess our thoughts there were for everyone from the community to have the second acknowledgement.

Representative Hunsakor: Responding to Senator Freborg's question—as he looks at that (as a former teacher), what he heard from the teacher of the year—part of the excitement and part of what it was all about is that nobody knew. Have hundreds of teachers there, the four finalists there, teacher of the year there and no one knows who is going to get it. There is an excitement all afternoon about that; the finalists are put up front and whomever makes that presentation—that is the highlight of the moment. If it was at the state capitol first, that would completely change the complexion of what happens out there as far as the excitement, build up, etc.

Senator Gary Lee: His sister was a teacher of the year in a neighboring state a few years ago; their method was to have it done at the capitol. In talking to her this past weekend, she said that was a real honor to be dealt with that way, but her real peers were the people she worked with—in her school, her community, her students. Those are probably the people who nominated her as well. It wasn't people in a different part of the state or location from where she teaches. She thought it would have been very nice to have it done that way as well. It didn't preclude them from going to their state conference and being recognized there. In his mind, the talk is where it can be done and what might be a good way to do it.

Let's look over some ideas and present at a following meeting. Closed.

2011 SENATE STANDING COMMITTEE MINUTES

Senate Education Committee
Missouri River Room, State Capitol

SB 2311
April 13, 2011
16542

☒ Conference Committee

Committee Clerk Signature



Explanation or reason for introduction of bill/resolution:

Relating to the North Dakota teacher of the year award.

Minutes:

See attached amendment

Committee Chairman Senator Gary Lee called the Conference committee meeting to order. All members are present: **Senator Lee, Freborg, Marcellais; Representatives Johnson, Meier, Hunskor.**

Senator Lee: Second meeting; think everyone understands the bill. Has an amendment to consider (Attachment #1). 11.0681.04004 fits with the .04000 at least in terms of the alignment with the removal and add, and so on go. What the amendment does in the removal of line 19; that is the home school association and believe the house took that out. That continues in this amendment and renumbers (lines 20-21), and then lines 22 & 24 replace what is existing and includes that by September 30th each year the Governor and Superintendent of Public Instruction would announce the recipient. They would be exclusive hosts at a ceremony and reception honoring the Teacher of the Year. The ceremony would be either in the Memorial Hall or it could be at the school or municipality of where the recipient resides or works.

Representative Hunskor: Just to clarify—the amendment would state that it must be at the capitol or in the home community of the TOY—period. It would have to be one of those two places? **Senator Lee:** The intent is that the official announcement would be at one of those two locations—correct.

Senator Freborg: Just for discussion; move that we adopt the amendment titled .04004; second by **Senator Marcellais.**

Representative Hunskor: Just some comments; some of these may be a repeat from discussion last time, but the teacher of the year award has been at the instructional conference. It has been very positive for the Teacher of the Year; positive for the finalists. It has been positive for the teachers of North Dakota, especially those that are attending the conference to hear the TOY speak and to hear the finalists share their thoughts. It is a very exciting day. Somehow, some time ago an unfortunate incident happened that changed the landscape of something that was really good for the teachers of North Dakota. In his heart, doesn't think it is good policy to allow one unfortunate situation at a previous conference to cause the selection process to move in a different direction, nor does he

believe it should cause the site of the initial award to be moved to a different location—other than the instructional conference. His reason for this is it may very well eliminate a lot of teachers—the finalists and others at the conference from being part of an experience that over the years has been both inspiring and motivating. That will be gone because those folks are not going to come to the community of the winner, probably not going to come to Bismarck. Don't know how they will handle the finalists, but that is a big question. Feels it is a big deal and should not be crafted based on something that happened in the past—but what is best for the future.

Feels that in life, if things are going well in our private lives and something goes wrong, we correct the problem and move on. At the last meeting shared words spoken by several past TOY winners regarding the location of this award. All received the same e-mails regarding this. How do we ignore the message in those emails—especially one from Karen Toavs, the 2011 Teacher of the Year? “There is no comparison to being surrounded by your peers when stepping into the sizeable shoes of the Teacher of the Year”. He can't take that away from her—that is where she wants to be and future winners want to be. Second—how many of us have experienced the excitement of the day that is an integral part of the TOY award? He was a teacher for 35 years, and never received that award, but the experience of being there and feeling the excitement leading up to that--hates to see that taken away from the teachers of North Dakota. If you haven't shared that day with the teachers in attendance at the conference, wouldn't it be best to heed the wishes of those have been so much a part of it. Why take that privilege and experience away from the teachers of North Dakota.

Representative Meier: She called Sheila Sandness to do a little checking on when funding went to DPI for this program—it was the last biennium for the \$14,000. Then asked her if there had been any previous funding out of DPI for this award, and she stated there was none for this until the last biennium. **Senator Freborg:** Did you check that out that there have been no appropriations prior to that time? **Representative Meier:** Sheila was going to do some checking. She didn't believe there was any previous funding.

Senator Freborg: From memory I think there was, but that is immaterial. If we were to adopt this amendment we certainly would not be preventing North Dakota Education Association to have the same program and it would be possible to convince the Superintendent of Public Instruction and the Governor to have their award program the afternoon that North Dakota Education Association would have a banquet to honor the recipient. Don't see the difference; thinks the teacher would be very happy to be able to tell his/her grandchildren that the Governor gave out this award and then they were honored at a banquet with North Dakota Education Association. The only difference we have is who gets to announce it; I can't believe that there is a better person in the state to announce it than the Governor. **Representative Hunsakor:** Answer to that would be that this is not just about the teacher of the year, it is about all of the teachers, the finalists, about the excitement leading up to it being announced can't be measured. It is gone when it has been pre-announced; surely the Governor and TOY can come to the conference and repeat what has been done at the Capitol. But all the hype and excitement that leads up to that is gone; the finalists giving a speech is motivational and inspirational. I can't see taking that moment away from them. We all have to judge whether that is an important moment. I have been through that.

Senator Lee: I appreciate your passion for what has been and how you view the importance of this award; do share that. This is a coveted award by teachers across the state. The bill itself doesn't preclude the DPI to set the criteria in terms of it being announced, having three-four finalists if they choose to do that. It doesn't preclude a winner from going to that conference and speaking to that group as peers and what his/her experiences have been, and what this meant to him/her. Shared story of his sister winning the award in another state and how it was handled. Her peers at home were the important people to her. Doesn't think this is stepping it down any by doing it differently.

Representative Hunsakor: It bothers me that something that has been so precious to the teachers of North Dakota is being changed because of one unfortunate incident—we would not be here today if not for that. We are responding to that by not moving on.

No further discussion; motion carried to adopt the amendment (Vote 1-5-1-0)

Senator Gary Lee: We need a motion on the bill.

Representative Meier: Move a Do Pass as amended to Engrossed SB 2311; second by **Senator Marcellais**. Original motion and second is withdrawn.

Representative Meier: Move to accede to the Senate amendments and Do Pass on SB 2311 as further amended; second by **Senator Marcellais**. Motion carried 5-1-0 (Vote 2)

April 5, 2011

PROPOSED AMENDMENTS TO REENGROSSED SENATE BILL NO. 2311

That the House recede from its amendments as printed on pages 1054 and 1055 of the Senate Journal and pages 1186 and 1187 of the House Journal and that Reengrossed Senate Bill No. 2311 be amended as follows:

Page 1, remove line 19

Page 1, line 20, replace "g." with "f."

Page 1, line 21, replace "h." with "g."

Page 1, replace lines 22 through 24 with:

- "3. By September thirtieth of each year, the governor and the superintendent of public instruction shall jointly announce the award recipient and serve as the exclusive hosts of a ceremony and reception honoring the teacher of the year. The ceremony and reception must take place in the memorial hall of the state capitol or, if requested by the award recipient, at a location in the municipality within which the recipient resides or works."

Renumber accordingly

*Conf. Committee
(#1)*

2011 SENATE CONFERENCE COMMITTEE ROLL CALL VOTES

Committee: Senate Education

Bill/Resolution No. SB 2311 as (re) engrossed

Date: 4-13-11

Roll Call Vote #: 1

Action Taken

- ☐ SENATE accede to House amendments
☐ SENATE accede to House amendments and further amend
☐ HOUSE recede from House amendments
☒ HOUSE recede from House amendments and amend as follows

Senate/House Amendments on SJ/HJ page(s) --

- ☐ Unable to agree, recommends that the committee be discharged and a new committee be appointed

((Re) Engrossed) _____ was placed on the Seventh order of business on the calendar

Motion Made by: Sen. Freborg Seconded by: Sen. Marcellais

Senators	<u>4</u> 11	<u>4</u> 13	Yes	No		Representatives	<u>4</u> 11	<u>4</u> 13	Yes	No
G. Lee	P	P	✓			Johnson, D.	P	P	✓	
Freborg	P	P	✓			Meier, L.	P	P	✓	
Marcellais	P	P	✓			Hunker	P	P		✓

Vote Count: Yes 5 No 1 Absent 0

Senate Carrier _____ House Carrier _____

LC Number 11.0681 . 04004 of amendment

LC Number _____ of engrossment

Emergency clause added or deleted

Statement of purpose of amendment: name the place where the award is presented.

2011 SENATE CONFERENCE COMMITTEE ROLL CALL VOTES

Committee: Senate Education

Bill/Resolution No. SB 2311 as (re) engrossed

Date: 4-13-11

Roll Call Vote #: 2

Action Taken

- ☐ SENATE accede to House amendments
☐ SENATE accede to House amendments and further amend
☐ HOUSE recede from House amendments
☒ HOUSE recede from House amendments and amend as follows

Senate House Amendments on SJ/HJ page(s) 1054 -- 1055

- ☐ Unable to agree, recommends that the committee be discharged and a new committee be appointed

((Re) Engrossed) SB 2311 was placed on the Seventh order of business on the calendar

Motion Made by: Rep Meier Seconded by: Sen. Marcellais

Senators				Yes	No		Representatives				Yes	No
G. Lee				✓			D. Johnson				✓	
Freborg				✓			Meier				✓	
Marcellais				✓			Hunskar					✓

Vote Count: Yes 5 No 1 Absent 0

Senate Carrier Gary Lee House Carrier Dennis Johnson

LC Number 11.0681 . 04004 of amendment

LC Number _____ of engrossment

Emergency clause added or deleted

Statement of purpose of amendment

REPORT OF CONFERENCE COMMITTEE

SB 2311, as reengrossed: Your conference committee (Sens. G. Lee, Freborg, Marcellais and Reps. D. Johnson, L. Meier, Hunskor) recommends that the **HOUSE RECEDE** from the House amendments as printed on SJ pages 1054-1055, adopt amendments as follows, and place SB 2311 on the Seventh order:

That the House recede from its amendments as printed on pages 1054 and 1055 of the Senate Journal and pages 1186 and 1187 of the House Journal and that Reengrossed Senate Bill No. 2311 be amended as follows:

Page 1, remove line 19

Page 1, line 20, replace "g." with "f."

Page 1, line 21, replace "h." with "g."

Page 1, replace lines 22 through 24 with:

"3. By September thirtieth of each year, the governor and the superintendent of public instruction shall jointly announce the award recipient and serve as the exclusive hosts of a ceremony and reception honoring the teacher of the year. The ceremony and reception must take place in the memorial hall of the state capitol or, if requested by the award recipient, at a location in the municipality within which the recipient resides or works."

Renumber accordingly

Reengrossed SB 2311 was placed on the Seventh order of business on the calendar.

2011 TESTIMONY

SB 2311

SB 2311 – ND Teacher of the Year Award

Missouri River Room – Monday, 1/31/11, 9:00 AM

Good Morning, Chairman Freborg and Members of the Education Committee. I am State Senator Gary A. Lee. I represent District 22.

SB 2311 is being introduced to ensure an on going process & procedure for selecting & recognizing the ND Teacher of the year.

The ND Teacher of the Year program began in 1952, as part of the plan to recognize a National Teacher of the Year. It is a project of the national "Council of Chief State School Officers". Dr. Wayne Sanstead is North Dakota's State School Chief.

Nominations for ND's Teacher of the Year must come from a teacher, school administrator, school district trustee, local education association, student or parent.

In 2000, DPI lacked funding to continue its sponsorship of the Program. So, DPI passed oversight, management, and coordination of the program to the North Dakota Education Association (NDEA).

In 2008, the person chosen as teacher of the year was not allowed to attend the reception honoring her selection, because she was not an NDEA member. The Association also refused to pay expenses for a trip to Washington D.C., where the National Teacher of the Year is announced by the President of the United States.

Funding for the Teacher of the Year Program was restored to the DPI budget during the 2009 Legislative Session. The current executive budget request is \$14,000 for the biennium.

In reference to the Bill itself:

- Lines 7 – 20 reflect current practice
- Lines 21- 23 change the time & place of the award presentation to September in Memorial Hall at our State Capital.

Chairman Freborg & Committee Members, those comments outline the essence of SB 2311 & the reasons it is being brought forward.

#1 SB 2311

Proposed Amendments to Senate Bill 2311 (Heckaman)

23
Page 1, line 7, after "announced." insert "4. Department of Public Instruction shall compensate the school district of the teacher of the year for expenses relating to the employ of a substitute teacher while that teacher is attending national teacher of the year events. The amount may not exceed \$1800.00 annually or \$3600.00 per biennium."

(#1)

withdrawn.



**Senate Education Committee
Testimony in Opposition of SB 2311**

January 31, 2011

Dakota Draper

701-223-0450; comments@ndea.org

Chairman Freborg, members of the Senate Education Committee, for the record my name is Dakota Draper. I am President of the North Dakota Education Association (NDEA). On behalf of our 8,800 members, I rise today in opposition of SB 2311.

Senators, this bill is about the North Dakota Teacher of the Year. As you can see it has three parts under section one, the only section of this proposal.

Parts one and two are currently in practice and have been so for the past few years under the Department of Public Instruction. As they have been working well, we do not believe there is a compelling reason why these two parts now need to be placed in North Dakota Century Code.

In part three, which is about the Great Hall ceremony announcing the teacher of the year during the month of September, we feel that a disservice would be done to the prospective teacher of the year by holding the announcement ceremony at a time when none of the other teachers in the state would be able to attend.

The North Dakota Teacher of the Year has been announced on the third Thursday of October at the General Session of the North Dakota Education Association's Instructional Conference, for as long as anyone can remember. This event, which is open to the general public, usually is attended by the Governor, the Superintendent of Public Instruction, former teachers of the year and other dignitaries. Hundreds of teachers, education support professionals, administrators and others in the education community are able to attend because of the two days afforded in the ND Century Code. It is a tribute to the profession of teaching. To hold this important event at a venue and time which minimizes the opportunity for teaching colleagues to be present, diminishes the prestige and the value of the award.

Chairman Freborg, members of the committee, the North Dakota Education Association does not see what is gained with the passage of SB 2311. Therefore we ask that you give SB 2311 a DO NOT PASS recommendation.

I thank the chairman and committee for this opportunity and would be happy to answer your questions to the best of my ability.

#2 SB 2311

**North Dakota
Teacher of the Year Program
2011-2013 Budget**

I. National Teacher of the Year Program Conference:

Each year the Teachers of the Year and the State Program Coordinators meet in Dallas, Texas. The goals of the conference are to continue strengthening state programs through the sharing of ideas and strategies, and to better prepare the new Teachers of the Year for their roles as representatives of their state. (Note: The National Teacher of the Year Program provides funding for all major expenses including travel, ground transportation in Dallas, most meals and lodging). This event is held late January.

The State provides funding for the substitute teacher, registration fee, ground transportation in North Dakota and some meals for NDTOTY and State Coordinator not funded by the NTOY Program. **SEA: \$2,500**

II. National Teacher of the Year Recognition Week Activities, Washington, DC:

Historically, the President of the United States has announced the National Teacher of the Year to the American people. In recent years the President has invited the State Teachers of the Year to join in the Washington recognition. This event is held late April/early May.

The state provides funding for the substitute teacher, travel, lodging, and meals unless teacher is a National Teacher of the Year finalist. **SEA: \$4,000**

III. Education Commission of the States National Forum on Education Policy, Denver, CO:

Tentative – Education Commission of the States National Forum on Education Policy. This event is scheduled for early July.

National Teacher of the Year Program provides funding for all major expenses. The State provides funding for ground transportation in North Dakota and some meals not covered by NTOY Program. **SEA: \$300**

IV. International Space Camp, U.S. Space and Rocket Center, Huntsville, AL:

Another exciting educational opportunity is the International Space Camp at the U.S. Space and Rocket Center in Huntsville, Alabama. This camp, attended by the National and State Teachers of the Year, as well as teachers and students from over twenty countries, allows Teachers of the Year to learn about space technology in a supercharged atmosphere of excitement with colleagues from around the world. The date for Space Camp is the last week in July.

National Teacher of the Year Program provides funding for all major expenses. The State provides funding for ground transportation in North Dakota and some meals not covered by NTOY Program.

SEA: \$300

V. *National Teacher of the Year Program/Educational Testing Service Next Steps Conference, Princeton, NJ:*

National Teacher of the Year Program/Educational Testing Service Next Steps Conference, Princeton, NJ. This event is held late September/early October.

National Teacher of the Year Program provides funding for all major expenses. The State provides funding for the substitute teacher, ground transportation in North Dakota and some meals not covered by NTOY Program.

SEA: \$300

VI. *Pearson Education State Teacher of the Year Mobile Video Institute, New York City, NY:*

Pearson Education State Teacher of the Year Mobile Video Institute, New York City, NY. This event is held late September/early October.

National Teacher of the Year Program provides funding for all major expenses. The State provides funding for the substitute teacher, ground transportation in North Dakota and some meals not covered by NTOY Program.

SEA: \$300

Operating Costs for the State:

Selection Panel Expense (7)	\$ 500
Finalists Expense (4)	\$ 3,350
Awards for Finalists (5)	\$ 850
Public Recognition for NDTOY	\$ 1,200
Media	\$ 250
Photography	\$ 150

Total Operating Costs: \$ 6,300

Grand Total NDTOY Cost to the State \$14,000

#1 SB 2311



TESTIMONY ATTACHMENT 1

North Dakota Education Association

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House Education Committee TESTIMONY IN OPPOSITION OF SB 2311 March 8, 2011

Dakota Draper—701-223-0450—comments@ndea.org

Chairman Kelsch, members of the House Education Committee, for the record my name is Dakota Draper. I am President of the North Dakota Education Association (NDEA). On behalf of our 8,800 members, I rise today in opposition of SB 2311.

Representatives, this bill is about the North Dakota Teacher of the Year. As you can see it has three parts under section 1, the only section of this proposal.

Parts 1 and 2 are currently in practice and have been so for the past few years under the Department of Public Instruction. As they have been working well, we do not believe there is a compelling reason why these two parts now need to be placed in North Dakota Century Code.

In part three, which is about a ceremony at the capitol announcing the teacher of the year during the month of September, we feel that a disservice is being done to the prospective teacher of the year by holding the announcement ceremony at a time when many of that honored instructor's friends and colleagues would be unable to attend. It would be an announcement and honoring of the teacher of the year without any teachers present. This is akin to giving the best actor award to an actor with an audience that had no other actors in attendance.

As you are aware, the North Dakota Teacher of the Year has been announced at the Instructional Conference of the North Dakota Education Association which takes place on the 3rd Thursday of October. This event, which is open to the general public, usually attended by the Governor and other dignitaries, is a source of pride not only for our Association, but for all involved in education across the state. Hundreds of teachers, educational support personnel, and even students of the nominated teachers are able to attend because of the two days afforded in the ND Century Code. It is a tribute of our profession of teaching with the professionals of teaching.

The NDEA has worked very hard to make this event very special for the participants and the audience. Our General Session of our Instructional Conference is something we labor on for many months previous to make very special for all involved. And this is accomplished year in and year out without tax dollars.

Now when I testified in front of the Senate Education Committee about this bill about a month ago, there was some concern about what happened in 2008, when the Teacher of the Year was not a member of the NDEA. I wish to make two points clear:

1. The 2008 Teacher of the Year was not denied anything that is provided by the Department of Public Instruction. The NDEA publically did everything it normally does in honoring any Teacher of the Year winner.
2. What was not afforded to the 2008 Teacher of the Year was attendance at an event that the North Dakota Education Association provides to its members for our members and their invited guests. This would be as if one of the two political parties of the legislature were to have an off-site caucus. Nonmembers of the caucus would not be allowed to attend.

Hopefully, that single misunderstood event is not the reason for SB 2311. And certainly, the educators of this state should all have the opportunity to attend a ceremony honoring one of their own as North Dakota Teacher of the Year.

Chairman Kelsch, members of the committee, this bill is the result of a North Dakota School Boards Association resolution based on a misunderstood event. It represents nitpicking by the Schools Boards Association that doesn't warrant legislative action. Therefore we ask that you give SB 2311 a DO NOT PASS recommendation.

I thank the chairman and committee for this opportunity and would be happy to answer your questions.