

2017 SENATE EDUCATION

SB 2228

2019 SENATE STANDING COMMITTEE MINUTES

Education Committee
Sheyenne River Room, State Capitol

SB 2228
2/4/2019
32036

- Subcommittee
 Conference Committee

Committee Clerk Signature: Lynn Wolf

Explanation or reason for introduction of bill/resolution:

A bill relating to teacher professional development conferences.

Minutes:

Att. #1-Heckaman; Att. #2-Archuleta; Att. #3-Copas

Chairman Schaible: Committee we will look at SB 2228.

Senator Heckaman: *See Attachment # 1.* Introduces the bill to committee.

Nick Archuleta, President of ND United: *See Attachment #2.*

Amiee Copas, Exec. Director of NDCEL: *See Attachment #3.*

Alexis Baxley, ND School Boards Association: Spoke in support of SB 2228.

(16:10) **Superintendent of Public Instruction Baesler:** I, too, stand in support of SB 2228. There a couple of things I would like to point out that I have concerns about the implementation of if the bill would remain as it is. 1) There is a directive that “a school district may not schedule instruction during any day the superintendent of public instruction declares is in conflict with professional development conferences held on the same day which are directed towards all teachers **and** all administrators.” The and could be a concern for us. Currently, NDCEL submits an application to have those two days of their conference held on the calendar for the following year. I approve that as Director Copas mentioned, 80% of their superintendents and principals attend on this day. At this point, I am not sure that their conference is directed toward all teachers and administrators. I don’t believe I could say that this would be a conference for them. The ND Educators Fall Conference has been held for three decades on the week prior to the NDCEL conference. On average, it costs about \$150,000 to put on this conference. All revenue collected by the low cost registration fee goes to pay for the conference and any remaining revenue goes back to the General Fund. We can’t make a profit on the conference, which puts us in a bit of a predicament. It is a challenge for our teachers if they don’t have school that day – most have families of their own, probably elementary age students – so they have to make that decision – I’m not being paid, I’ll have to pay for daycare, I’ll have to travel to someplace and cover my own costs and not have family time. We do like the idea of exploring the opportunity of bringing these days

where all of our professionals will be able to have the same professional development opportunity. 2) The word in line 12 of the bill “organization” concerns me as well where it says “which are hosted by an educational organization” in the state. Currently, the conference we are talking about is a Department of Public Instruction conference and we are not an educational organization. This would disallow the department’s conference from being eligible. I have deep, strong support for this bill, but I have some concerns.

Chairman Schaible: So with your thoughts and concerns, how would you fix the bill?

Superintendent of Public Instruction Baesler: I would fix the concerns by saying, “All administrators which hosted by an educational by an organization or state educational agency.” The other to select the “and” was an appropriation to ensure that our district teachers would not be expected to take that day of unpaid work which would give me the guarantee I would have enough numbers to have the conference – or a mandate – which no one likes that if these conferences are held that a district would send at least as the example I gave X number of teachers.

Senator Davison: As everybody knows here, I am involved in professional development and I have somebody else that is involved in it in my organization and we talk about this topic of how to figure it out. It is a very, very difficult topic to try to meet those things. Do you have some concepts through your conversations with NDCEL regarding this? You will have to decide based on the numbers of your conference if it is feasible to continue with the conference.

Superintendent of Public Instruction Baesler: As Dr. Copas mentioned, we have been talking about this for a long time. The Department is completely agreeable to switching our conference dates. What we had planned to do is to survey the administrative group asking if these conference days were moved, would you send your school teacher and how many. With the results of that survey, the department would be able to have some soft guarantee and commitment from our school districts that they would send the teachers. If that is the case, we would certainly make that attempt. We would have to put on the line about \$150,000 of state dollars and I am not sure where we would cut from our operational budget if we didn’t have those numbers.

Senator Davison: Do we have a facility that can hold them both at the same time?

Superintendent of Public Instruction Baesler: Yes, the Bismarck Event Center would be able to manage it. Currently, the administrators conference is held at the Ramkota; very close walking distance walking back and forth. Our boot camp is held together jointly, but there are two different registrations. And I think we would need to continue with two different registrations because we don’t have a line item where we are able to contribute to someone else’s conference. For auditing purposes, we need to have inputs match outputs. I don’t know if it would be as fluid – being able to go back and forth to attend all speakers at the conference. Those are details I am confident can be worked out. The challenge is coordinating the commitment. I am not as convinced as some of our administrators that districts would say yes, we’ll send our teachers. I have an advisory council – both big and small schools – from across the state and a couple of them were adamant that they would be able to send 10 to 15% of their teachers and have their district pay for it. Others have said

we have very limited PD dollars, we can get more bang for our buck by having attend regional trainings and or bringing PD in. To be clear, there is professional development all the time. The Department of Public Instruction, REAs, NDCEL – we have multiple PD opportunities. Our entire June is packed with PD. From the time school is out at the end of May through June, our staff is out there with teachers and administrators attending. Regional conferences are the way to do it, but again there are costs involved in sending staff out to these regional conferences. We try to use technology to help hold down the costs as well.

Chairman Schaible: Are we working to the end without a law?

Superintendent of Public Instruction Baesler: The desire is there, but fundamentally, the fact that the majority of our school superintendents that I have heard from have said it's a great idea, but I can't afford to – it is better return on my investment to have PD in our own communities or region.

Senator Rust: I am thinking of another organization that might be involved in these discussions – ND High School Activities Association. There have been prohibitions from having events on those days as well.

Superintendent of Public Instruction Baesler: You are correct, the law still states that no activities can be held on those days as well.

Chairman Schaible: Other testimony. Hearing on SB 2228 is closed.

2019 SENATE STANDING COMMITTEE MINUTES

Education Committee
Sheyenne River Room, State Capitol

SB 2228
2/12/2019
32562 (7:02)

- Subcommittee
 Conference Committee

Committee Clerk: Lynn Wolf

Explanation or reason for introduction of bill/resolution:

A bill relating to teacher professional development conferences.

Minutes:

No Attachments.

Chairman Schaible: We are going to look at SB 2228. School calendar limitations.

Senator Rust: Is this something that we need?

Chairman Schaible: In my opinion, no, I think it could be something that could be done in house. It is the coordination between Department of Public Instruction, ND Council of Educational Leaders and the teachers to sit down and talk about it and determine a solution. Part of the problem is who is going to fund this.

Senator Rust: I am of the opinion that it is a good idea. I think it should happen, I just don't think we should have to have a law to make it happen. I move a Do Not Pass on SB 2228.

Senator Davison: Second.

Roll Call Vote: 7 Yeas; 0 Nays; 0 Absent.

Motion Carries.

Senator Elkin will carry the bill.

Date: 2-12-19
Roll Call Vote #: 1

**2019 SENATE STANDING COMMITTEE
ROLL CALL VOTES**
BILL/RESOLUTION NO. SB 2228

Senate 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 Rust Seconded By Davison

Senators	Yes	No	Senators	Yes	No
Chairman Schaible:	✓		Senator Marcellais:	✓	
Vice-Chairman Fors:	✓		Senator Oban:	✓	
Senator Davison	✓				
Senator Elkin:	✓				
Senator Rust:	✓				

Total (Yes) 7 No 0
Absent 0
Floor Assignment Elkin

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

REPORT OF STANDING COMMITTEE

SB 2228: Education Committee (Sen. Schaible, Chairman) recommends DO NOT PASS
(7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2228 was placed on the
Eleventh order on the calendar.

2017 TESTIMONY

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SENATE EDUCATION

SB 2228

Chairman and members of the committee: I am Senator Joan Heckaman, D-23, and I am here to introduce SB 2228 to you this morning,

SB 2228 is a simple bill that returns professional development conferences for teachers to the same date as those days for administrators. This change returns the "Teacher's Convention" to the same time as the Administrators Conference. A policy change removed the professional development days in October for teachers out of the code and the Council of Educational Leaders asked that 2 days be set aside for administrator's conference instead. Currently Administrators Conference is held in October and the Superintendent of Public Instruction has deemed those days as days school cannot be held nor activities held.

The premise for SB 2228 comes from teachers, administrators, and families who feel that a return to holding both at the same time would be efficient for schools. Parents don't understand why their child has a substitute the week before the Administrators Conference when their child's classroom teacher is off to professional development and then the next week when the Administrator's Conference is held, there is no school. I do understand that Administrators Conference is an important revenue stream for the North Dakota Council of Education Leaders. But I am not sure that school must be on vacation those 2 days. So, let's have the conversation of moving both together for efficiency, effectiveness, and innovation.

I understand that last fall, about 650 teachers attended the DPI Fall Conference the week before school was out for the Administrator's Conference. That impacted schools by having to pay for substitutes, pay registration, pay mileage, and meals for 650 educators. The next week when the Administrator's Conference was held, there was no school. While this may be both a reason to support and oppose this bill, the fact is there are fewer administrators than educators.

It seems we can make better use of our staff time by holding both conferences on the same dates. With both conferences on the same days, collaboration would enable both sponsors to pool resources, thus, the opportunity to save money. In my conversations with Ms. Baesler, she indicates that it is too late to

schedule anything for the fall of 2019, but that 2020 is a distinct possibility. I would then encourage this committee to add an amendment to delay implementation until the start of the 2020 school year.

I believe a return to the policy that was in place when I was a teacher would be one solution. When Teacher's Conference was held when I taught, we had 3 options: 1) attend conference on our own with mileage paid, 2) stay in school those 2 days and work in your classroom, or 3) take personal days. Some teachers would attend 1 day and then take option 2 or 3 for the other day. But I believe there is another option. By coordinating with the Department of Public Instruction, one or both of those days could be counted as Professional Development Days. That way, teachers would be on regular salary. I do understand the issue of mileage and hotel rooms. That would have to be negotiable between this committee, DPI, NDCEL, and NDU.

I know there are many unknowns in this bill, but I believe that working together, we can come to a consensus that would work so the concept of "Teacher's Convention" is restored. I would suggest that this committee appoint a work group of committee members, representation from DPI, NDU, NDCEL, and possibly a teacher or 2 to bring a solution forward that meets the intent of this piece of legislation but also is workable for all parties involved.

This bill is all about efficiencies, effectiveness, and innovation. Let's see if we can bring this issue forward with a solution.

That concludes my testimony. I would stand for any questions,

Sen. Joan Heckaman

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Great Public Schools

Great Public Service

**Testimony Before the Senate Education Committee
SB 2228
Monday February 4, 2019**

Good morning, Chairman Schaible and members of the Committee. For the record, I am Nick Archuleta and I am the president of North Dakota United. On behalf of our members, I rise in support of SB 2228.

All of us with who take the responsibility of educating North Dakota's children seriously know the value of meaningful professional development. For many years, one of NDU's predecessor organizations, the North Dakota Education Association, hosted the Fall Instructional Conference. The Instructional Conference brought teachers from across the state to Fargo, Bismarck, Grand Forks, or Minot for two days of outstanding professional development in every academic discipline from choral music, to world languages, to core curricular areas, and FACS. These were paid days for teachers and, by and large, teachers participated enthusiastically in the Instructional Conference even though they were responsible for paying for their own transportation, lodging, meals, and childcare. Once these days were no longer paid days for teachers, attendance fell off and the Fall Instructional Conference was discontinued.

SB 2228 is the first major step in quite some time to advance the cause of professional development for teachers. SB 2228 would facilitate the move of DPI's Fall Conference to the same days as NDCEL's Administrator conference. Teachers could then attend the DPI Fall Conference on a paid day for teachers, just like the administrators who attend their

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conference. Districts could even count those DPI Fall Conference days as two of their professional development days.

Mr. Chairman, SB 2228 is a win-win for teachers and for their school districts. I urge a DO PASS recommendation for SB 2228. I am happy to stand for any questions.



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NDCEL

Testimony in Support of SB 2228 w/amendment – PD conferences

Good morning Chairman Schaible, and members of the Senate Education Committee. I am here to support SB 2228 on behalf of the North Dakota Council of Educational Leaders.

SB 2228 would place the current Fall Educators Conference hosted by ND DPI and the Fall Administrators Conference hosted by NDCEL, on the same two days. We are hearing more and more how parents and community members are confused as to why there is school being held during the Fall Educators Conference, and then the following week there is no school during the NDCEL Fall Administrators Conference. NDCEL supports the change of placing both conference on the same two day, where there is no school for students. In the past the teachers conference hosted by ND United, NDEA at that time, and the NDCEL Fall conference were on corresponding days with no school, while the ND DPI Title 1 conference was held the week prior. Since ND United has discontinued their conference, ND DPI changed the Title 1 Conference to the Fall Educators Conference, and it is being held on the normal days of the conference, the week prior to the NDCEL Administrators conference which has no school.

NDCEL believes that putting both conferences on the same days of no school would allow more educators to attend either of the conferences. In its current state schools are limited to who they send to the Fall Educators Conference because school is in session and teachers would have to obtain substitutes for their classes over those two days. In North Dakota we do have a teacher shortage, but the substitute shortage is even worse. Many districts do not have enough substitute teachers to cover the classrooms of all the teachers who would like to go to the conference. Some districts can only send teachers who are not classroom instructors, such as Title 1 teachers, special education teachers, and instructional coaches. Making this change would allow any and all teachers who would like to attend the conference the ability to go.

Placing both conference on the same days would also enable ND DPI and their sponsors to collaborate with NDCEL for the conferences. The organizations could share keynote speaker costs, breakout sessions, and other conference related activities. This could be a cost sharing for all the organizations involved.

In discussions with ND DPI one concern was that if the Fall Educators Conference was held on the two days that are currently days off for teachers, would their attendance drop? NDCEL is currently building a survey that would ask school leaders if they would pay for the teachers' registration and travel expenses for the conference on those two days. We feel that administrators would pay for that on those two days off because they would save the funds that are going towards substitute teachers currently.



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One area of concern is that in the current wording of the bill it might still be possible for the two conferences to be on separate days. Which would mean that there would be no two days held with no school for this important work. Currently the NDCEL Fall Conference is attended by approximately 440 superintendents, secondary principals, elementary principals, and other school leaders. It would be impossible for a district to have all of their administration gone from school on a school day. That would mean that some individuals who currently attend the conference would not be able to. They would miss the valuable professional development and networking that they have been accustomed to. To alleviate this NDCEL would like to offer this possible amendment to the committee for consideration. In the amendment the two days for the conference are days off of school that has been utilized. These are the days that parents and community members are familiar with having no school. NDCEL does not think these days have to be the one utilized, we just placed them in the amendment because those have been past practice.

We respectfully request a Do Pass as amended and I can stand for any questions.

Possible amendment:

1. A school district may not schedule school-sponsored, school-directed, or school-related activities, including instructional time, ~~during any day that the superintendent of public instruction declares is in conflict with a professional development conference directed toward all teachers or all administrators, and on the Thursday and Friday of the third week in October, or as approved by the Superintendent of Public Instruction.~~ These days are held open for teacher and administrator professional development conferences, which are hosted by an educational organization organizations in this state.
2. The declaration permitted by subsection 1 is limited to two days during a school year.