

MINUTES
HOUSE EDUCATION COMMITTEE

DATE: Friday, February 15, 2019

TIME: 9:00 A.M.

PLACE: Room EW41

MEMBERS: Chairman Clow, Vice Chairman Kerby, Representatives Shepherd, Boyle, Mendive, DeMordaunt, Moon, Ehardt, Goesling, Marshall, Raymond, Wisniewski, McCrostie, Abernathy, Berch

**ABSENT/
EXCUSED:** Rep. DeMordaunt

GUESTS: Nick Veldhouse; Idaho Association of Highway Districts; Rob Winslow, IASA; Quinn Perry, ISBA; Helen Price and Christina Nava, State Department of Education; Brad Hunt, Office of the Administrative Rules Coordinator

Chairman Clow called the meeting to order at 9:00 am.

S 1030: **Vice Chairman Kerby** presented **S 1030**. This bill is a technical change to last year's School Board Election bill and corrects the date of organization for school board trustees, allowing for election of officers every year.

MOTION: **Rep. Moon** made a motion to send **S 1030** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. DeMordaunt** will sponsor the bill on the floor.

Chairman Clow turned the gavel over to **Vice Chairman Kerby**.

**DOCKET NO.
08-0202-1804:** **Rep. Moon** reported her subcommittee recommended this rule docket be rejected. She cited concerns about privacy violations, validity of performance criteria between states and the difficulty for teachers to meet the new requirements. She stated this rule is too cumbersome and adds more regulation, when the state needs to make it easier for out-of-state teachers to be licensed in Idaho.

Tracie Bent, Chief Planning and Policy Officer, State Board of Education, stated the proposed rule will create a new section of Administrative Code, providing clarification as to types of "additional evidence demonstrating effective teaching" that are authorized as evidence for a Professional Endorsement. The requirements listed are discussed in statute; the rule does not add any additional requirements, but allows the evaluation of evidence to be done at the district level, rather than at the state level. She stated if the rule was rejected districts would still be able to hire out-of-state teachers, but if the state decides there is insufficient evidence to place them on the career ladder's professional rung, they will have to be placed on the residential rung and the district will get less money from salary-based apportionment, due to their lower status.

Rep. Marshall stated he feels there is sufficient coverage in code regarding professional rung placement. He stated districts can justify their placement of an out-of-state hire to the state and receive the appropriate reimbursement, so there is no need for this rule. The rule does not limit how a district places individuals on their salary schedule.

In response to Committee questions, **Ms. Bent** noted because many states measure student achievement it is not uncommon for educators to have their student's data at an aggregate level, which they could provide as evidence of student achievement and performance. The rule would not apply to those seeking alternative certifications.

Rob Winslow, Executive Director, Idaho Association of School Administrators, spoke **in support** of the docket. He stated it is difficult when administrators find an out-of-state candidate, but are not able to honor their prior teaching experience and have to place them on the residential rung at a lower salary.

Quinn Perry, Policy and Governmental Affairs Director, Idaho School Boards Association, spoke **in support** of the docket. She stated the rule does not entirely address how to better place out-of-state teachers on the career ladder, but it adds flexibility and makes it easier for districts.

In response to Committee questions, **Mr. Winslow** explained districts do not have enough money to pay teachers a significantly different salary than is warranted by their placement on the career ladder. The state sends an allocation and the district would be responsible to make up any difference between that money and the teacher's contracted salary. Certain districts have gone ahead with an out-of-state hire, then turned in the professional endorsement evaluation to the state, only to later find out the state has disagreed with the district's placement assessment. The teacher would already be under contract for the higher, professional salary, but the state refuses to reimburse at the higher level and so the district must make up the difference. He stated this rule attempts to make things easier for districts by giving them control to evaluate their own candidates.

MOTION: **Rep. McCrostie** made a motion to approve **Docket No. 08-0202-1804**.

Rep. Berch and **Chairman Clow** spoke **in support** of the motion, due to the supporting testimony.

SUBSTITUTE MOTION: **Rep. Goesling** made a substitute motion to approve **Docket No. 08-0202-1804**, with the exception of **Subsections 01, 02 and 03**. He stated the subcommittee was concerned about the levels of requirements added by the subsections, but was in support of the evaluation process taking place at the local level, as contained in **Subsection 04**.

In response to Committee questions, **Ms. Bent** stated **Subsections 01-03** reference statutory requirements and removing them from the rule does not change the requirements. Those that participated in the rulemaking process felt it was helpful to have all the requirements in the same place, rather than spread between statute and rule.

Rep. Clow stated he felt it was easier for users to have all the references in one place, so he remained **in support** of the original motion.

Rep. Boyle spoke **in support** of the substitute motion, stating it is always a good idea for people to read the law, not just the rules.

ROLL CALL VOTE ON SUBSTITUTE MOTION: **Rep. McCrostie** requested a roll call vote on the substitute motion. **Motion carried by a vote of 12 AYE, 2 NAY, 1 Absent/Excused. Voting in favor** of the motion: **Vice Chairman Kerby, Reps. Shepherd, Boyle, Mendive, Moon, Ehardt, Goesling, Marshall, Raymond, Wisniewski, Abernathy** and **Berch. Voting in opposition** to the motion: **Chairman Clow** and **Rep. McCrostie. Rep. DeMordaunt** was absent/excused.

DOCKET NO. 08-0104-1801: **Rep. Moon** reported this docket removes obsolete language referring to Eastern Idaho Technical College and simplifies how financial support is given to a student based on their parent/guardian income tax record. The subcommittee recommended approval of the docket.

MOTION: **Rep. Raymond** made a motion to approve **Docket No. 08-0104-1801**.

Rep. Goesling noted there are many discrepancies in how residency is defined and he would like to work with the State Board of Education to fix this.

**VOTE ON
MOTION:**

Motion carried by voice vote.

**DOCKET NO.
08-0203-1805:**

Rep. Moon reported this docket is a clean up of language that became obsolete when the No Child Left Behind Act was replaced by the Every Student Succeeds Act. The subcommittee recommended approval of the docket.

MOTION:

Rep. McCrostie made a motion to approve **Docket No. 08-0203-1805. Motion carried by voice vote.**

Vice Chairman Kerby turned the gavel over to **Chairman Clow.**

ADJOURN:

There being no further business to come before the Committee, the meeting adjourned at 10:11 am.

Representative Kerby
Chair

Erica McGinnis
Secretary