

MINUTES
HOUSE EDUCATION COMMITTEE
HARRIS SUBCOMMITTEE
State Department of Education Rules

DATE: Thursday, January 09, 2014

TIME: 9:00 A.M.

PLACE: Room EW05

MEMBERS: Chairman Harris, Representatives Wills, Bateman, Gestrin, VanOrden, Horman, Kloc, DeMordaunt

**ABSENT/
EXCUSED:** None.

GUESTS: Jami Fitzpatrick, American Heart Association (AHA); Brad Hunt, O.A.R.C.; Scott Cook, State Department of Education (SDE)

Chairman Harris called the meeting to order at 9:02 a.m.

DOCKET NO. 08-0201-1301: **Luci Willits**, State Department of Education (SDE), presented **Docket No. 08-0201-1301**. She explained that this docket reflects the repeal of Proposition 1, which covers negotiations in open meeting and collective bargaining and its limitation.

MOTION: **Rep. Bateman** made a motion to recommend approval of **Docket No. 08-0201-1301** to the full committee. **Motion carried by voice vote.**

DOCKET NO. 08-0202-1301: **Luci Willits** (SDE) presented **Docket No. 08-0202-1301** regarding Rules Governing Uniformity. **Ms. Willits** explained the purpose of the rule is two fold. One is to revise teacher evaluation as it relates to student achievement and professional practice. The other part of the rule is in regard to principal evaluation, which is creating standards and creating an evaluation policy. A teacher evaluation task force was created in 2008, which created minimum teacher standards statewide. In 2009, the Legislature approved the standards.

Ms. Willits reviewed the evaluation requirements, and explained in Section 120, each school district board of trustees will develop and adopt policies for teacher performance evaluation and it is at the district's discretion on how it is formulated. She explained that most districts already have elements of these now and this rule is codifying it. **Ms. Willits** explained the law in the past required that 50 percent be based on student achievement. A committee, determined that 67 percent Professional Practice and 33 percent Student Achievement was a better balance. **Ms. Willits** stated there had not been principal standards for evaluation before now. Under Section 121.01, there are standards for principals, which are listed under three separate Domains: School Climate, Collaborative Leadership, and Instructional Leadership. She stated the Domains will be seen in the evaluation piece, standards piece, and the associated endorsement piece.

Ms. Willits explained they are trying to have fidelity as they move forward, and it was important there was consistency in how principals and teachers were evaluated. She stated that each school board trustee will develop and adopt policies for principal performance evaluation and submit those to the department for approval.

In response to a question from the committee regarding Section 120.02 and Section 121.02 which appeared to potentially eliminate parent input/involvement, citing the language "and/or", **Ms. Willits** stated there is parent input/involvement. She stated parents must be in on the front end, which means creating the development and review of the teacher plan. Also, parents should be involved in deciding what the professional practice looks like.

Becky Martin, Educator Effectiveness Coordinator (SDE), explained some of the districts throughout the state use only three proficiency levels in the evaluation process. In order to meet the needs of the state to recommend the minimal level of measures, a rating system with the following ranking was selected: Unsatisfactory, Basic or Proficient. **Ms. Willits** stated the SDE and State Board of Education (SBE) intends to have this rule implemented for superintendent evaluations sometime in the future.

MOTION: **Rep. Horman** made a motion to table **Docket No. 08-0202-1301**. **Rep. Horman** explained Section 120.02 and Section 121.02 should further be discussed by the committee with respect to parents and students possibly being excluded from input on teacher/principal evaluations.

UNANIMOUS CONSENT REQUEST: **Rep. Bateman** made a unanimous consent request to postpone for consideration **Docket No. 08-0202-1301** of the rule pending additional information from **Ms. Willits**. There being no objection, the request was granted.

MOTION WITHDRAWN: **Rep. Horman** withdrew her motion to table **Docket No. 08-0202-1301**.

DOCKET NO. 08-0202-1302: **Luci Willits**, (SDE) presented **Docket No. 08-0202-1302** and explained this docket is covering uniformity for alternative schools and accreditation. Current State Code and Administrative rules require high schools to be accredited. There were alternative schools that were using their sponsor high school's accreditation. There are alternative programs that are large enough to stand on their own for accreditation, and she said this rule outlines the criteria for what those programs should look like for those particular schools.

In response to questions, **Ms. Willits** explained that there are many schools with alternative programs that are housed within a school. There are also alternative schools which have their own separate designation with their own building and issue their own diplomas. SDE is currently looking at the accountability for alternative schools with low ratings.

Dale Kleinert, Advance Education, responded to questions regarding how a star rating effects accreditation. He said accreditation is a way for schools to show they have met certain standards that are outlined in State Code and court policy. He said there are several assurances that the department go through to ensure that the staff is highly qualified, and that programming meets the needs of the students.

MOTION: **Rep. DeMordaunt** made a motion to recommend approval of **Docket No. 08-0202-1302** to the full committee. **Motion carried by voice vote.**

DOCKET NO. 08-0202-1303: **Luci Willits**, (SDE) presented **Docket No. 08-0202-1303** and explained this was a technical change. She said the change will take out "computer based" throughout the rule, and will change the word "alternative" to "non-traditional."

MOTION: **Rep. Wills** made a motion to recommend approval of **Docket No. 08-0202-1303** to the full committee. **Motion carried by voice vote.**

DOCKET NO. 08-0202-1304: **Luci Willits** (SDE) presented **Docket No. 08-0202-1304** concerning Mathematics In-Service Program. She stated this was another technical change in which the Rule clarifies that teachers or teachers who are employed must take the "Mathematical Thinking for Instruction" course in order to be certified. It also applies to those who take the Idaho Compression Literacy course. In this Rule, SDE is clarifying who needs to take this exam and who does not.

MOTION: **Rep. Kloc** made a motion to recommend approval of **Docket No. 08-0202-1304** to the full committee. **Motion carried by voice vote.**

DOCKET NO. 08-0202-1305: **Luci Willits**, (SDE) presented **Docket No. 08-0202-1305**, Rules Governing Uniformity. She stated this Rule deals with teacher ethics. In Idaho Code, there is a group called the Professional Standards Commission (PSC) . The PSC must ensure the fidelity of standards and high professional practices for teachers, and it looks at specific cases where wrong doing may affect teacher certification. These changes in the Rules, some of which are technical, have been reviewed by the PSC, SDE and SBE.

In response to questions, **Ms. Willits** explained the intent of Section 076.02 was to limit the accountability to education.

MOTION: **Rep. DeMordaunt** made a motion to recommend approval of **Docket No. 08-0202-1305** to the full committee. **Motion carried by voice vote.**

DOCKET NO. 08-0202-1306: **Luci Willits**, (SDE) presented **Docket No. 08-0202-1306**, Rules Governing Uniformity. She said agencies often have manuals that govern programs. These manuals can be lengthy and the law does allow for the agencies to update manuals through rule making in a process called Incorporated By Reference, which is what this rule does.

MOTION: **Chairman Harris** suggested **Docket No. 08-0202-1306** be carried over to the next meeting because the Committee indicated they were unable to access the information received from **Ms. Willits**.

DOCKET NO. 08-0202-1307: **Luci Willits**, (SDE) presented **Docket No. 08-0202-1307**, Rules Governing Uniformity and said this section clearly articulates the intent of the law including out-of-state applicants for the Idaho Comprehensive Literacy Course, and the standards incorporated into the "Mathematical Thinking for Instruction." She said the courses may be taught by all Idaho-approved preparation programs under a variety of course titles. Each must be approved, however, by the State Department of Education to ensure fidelity in curriculum.

In response to questions, **Ms. Willits** stated the course is copyrighted, so institutions need to come up with their own course based on their own standards in place for that course, that have been approved by SDE in order to meet this definition.

MOTION: **Rep. Gestrin** made a motion to recommend approval of **Docket No. 08-0202-1307** to the full committee. **Motion carried by voice vote.**

DOCKET NO. 08-0202-1308: **Luci Willits**, (SDE) presented **Docket No. 08-0202-1308**, Rules Governing Uniformity. She stated the SDE in conjunction with the Professional Standards Commission (PSC) reviews 20 percent of standards for teachers every year. Teachers get a certificate, but they also receive endorsements that qualify them to teach additional subjects or specialize in a subject.

In response to questions, **Ms. Willits** stated there is a grandfather clause which states all individuals who begin an Idaho approved preparation program after July 1, 2013, seeking a Standard Elementary Certificate shall complete the requirements for a subject area endorsement as outlined under requirements for a Standard Secondary Certificate. **Taylor Raney**, Director of Certification (SDE), explained that the standards moving forward are primarily for preparation programs with the understanding that as we move forward with the evaluations of teachers and principals as this lines out, that will be embedded in their evaluation practice.

Ms. Willits stated that more credit hours will improve quality that is useful and practical in the classroom. Ms. Willits stated she would update the Education Committee on a grant received through the CCSSO and emphasized it is all about teacher preparation.

Ms. Willits responded to questions concerning mastery of literacy. She stated that children come to school at all different levels and it is about helping teachers differentiate instruction, because if students do not read by a certain level, the student will struggle. It begins in pre-service of our teachers and continues through the literacy requirement.

Ms. Willits explained, if the policy increasing the number of credits does not work, it can be re-evaluated. At this point, there is need to upgrade the preparation of our teachers to ensure they have strong content knowledge before adding higher standards.

The committee expressed concerns to **Ms. Willits** regarding the increase from twenty to forty-five upper division semester credit hours referenced under Section 023.03 and the impact it would have on the schools. **Ms. Willits** stated she would bring data which would support the increase.

**UNANIMOUS
CONSENT
REQUEST:**

Rep. Bateman made a unanimous consent request to postpone for consideration **Docket No. 08-0202-1308** pending additional information from **Ms. Willits**. There being no objection, the request was granted.

**DOCKET NO.
08-0203-1303:**

Luci Willits,(SDE), presented **Docket No. 08-0203-1303**, Rules Governing Thoroughness. **Ms. Willits** stated the SDE proposes the following language replace the existing "Gun-free Schools" language. She stated the language now states "Possessing Weapons on Campus" and provides a better description of what we are asking schools to do.

MOTION:

Rep. Van Orden made a motion to recommend approval of **Docket No. 08-0203-1303** to the full committee. **Motion carried by voice vote.**

**DOCKET NO.
08-0203-1304:**

Luci Willits (SDE) presented **Docket No. 08-0203-1304**, Rules Governing Thoroughness. Ms. Willits stated the SDE reviews traditional curriculum materials, and provides a rating of those materials as a service to the school districts. The committee is now in the process of working on reviewing online courses. This Fee Rule will allow the Department to charge for the service, like the department does for curriculum material. Idaho certified classroom teachers will review the online course providers and courses under the direction of the State Department of Education (SDE). The providers will be approved for a period of four years. In order to cover the cost of review, the SDE will charge providers a submission fee based on the number of courses offered, not to exceed the actual cost of review.

In response to questions, **Scott Cook** (SDE) explained the idea behind four years was a point at which money could be recovered for the review, and at the same time allowing providers to come in with preparation to meet Idaho standards. The fee is to defray the cost of reviewing courses. The cost of conducting the review will only be for courses outside of Idaho courses. A provider from out of state will need to show it is aligned to Idaho standards (outside public school, colleges, for profit courseware, etc). Teachers from Idaho will conduct the review. SDE wants quality courseware and aligned to Idaho standards.

MOTION: **Rep. Kloc** made a motion to recommend approval of **Docket No. 08-0203-1304** to the full committee. **Motion carried by voice vote.**

DOCKET NO. 08-0203-1306: **Chairman Harris** elected to carry **Docket No. 08-0203-1306** over to the next meeting.

DOCKET NO. 08-0203-1307: **Luci Willits**, (SDE) presented **Docket No. 08-0203-1307**, Rules Governing Thoroughness. She explained that this was a follow up to **Rep. Bateman's** resolution from last year. As part of the new standards, cursive writing was left up to districts to decide whether they would teach or not. This legislation through a concurrent resolution made it clear that the SBE should re-examine that issue. Section 103.02.a. now requires that cursive instruction be done in elementary schools.

MOTION: **Rep. Bateman** made a motion to recommend approval of **Docket No. 08-0203-1307** to the full committee. **Motion carried by voice vote.**

ADJOURN: There being no further business to come before the subcommittee, the meeting was adjourned at 10:47 a.m.

Representative Harris
Chair

Lisa Hamlin
Secretary