

## Minutes

*(Subject to approval of the Task Force)*

### Teachers' Salaries Task Force

**Room 117 Capitol Annex  
500 West Jefferson Street  
Boise, Idaho  
October 15, 2007**

The meeting was called to order by Cochair Senator Robert Geddes at 9:05 a.m. Other members present were Cochair Representative Bob Nonini, Senator Patti Anne Lodge, Senator Steve Bair, Senator Mike Burkett, Representative Scott Bedke, Representative Mack Shirley, Representative Richard Wills, Representative Shirley Ringo and Representative Jerry Shively. Senator John Goedde and Senator Denton Darrington were absent and excused. Legislative Services staff members present were Paul Headlee and Mike Nugent.

Other persons present for all or a portion of the meeting included Superintendent of Public Instruction Tom Luna; Wayne Hammond, Division of Financial Management; Jason Hancock and Melissa McGrath, Department of Education; Chuck Shackett, Idaho School Superintendents' Association/Bonneville School District #93; Phil Homer and Rob Winslow, Idaho Association of School Administrators; Dr. Clifford Green, Idaho School Boards Association; Edgar Linares, KTVB; Robin Nettinga, Maureen Jenkins, Sue Kindred, Jim Shackelford, John Rumel and Sherri Wood, Idaho Education Association; Jim Cobble, Jerome School District; Harry Amend, Coeur d'Alene School District/Idaho Association of School Administrators; Reed DeMordaunt, State Board of Education; Wendy Horman, Bonneville School District trustee; Ms. McConnell; Dr. Linda Clark, Superintendent of the Meridian School District; Mr. Brian Julian, attorney; and Therese Bishop, Regence/Blue Shield.

**Senator Geddes**, as part of opening remarks, said he had prepared a survey to be filled out by people attending an Association of Idaho Cities meeting. He gave this survey to the meeting attendees to fill out regarding their opinion of the state of public K-12 education in Idaho.

**Reed DeMordaunt, Chair of the State Board of Education's "Performance-Based Compensation Committee"** was the first presenter. **Mr. DeMordaunt** said he is a businessman, and has an interest in public education, as he has six children. He said his committee is looking at what the current system is doing to increase student growth and achievement. If the current system does not contribute to student growth and achievement, then it may need to be tweaked or reformed. **Mr. DeMordaunt** discussed "value-added assessment." He said with the federal No Child Left Behind Act, a positive catalyst has been to look at student achievement. A potential problem is that there may be an emphasis on raw test scores. Value-added assessment would look at the test data and conduct analysis on that data.

**Mr. DeMordaunt** said that each child should have a year's worth of growth in the public schools. He said value-added assessment is used by major corporations to monitor how they are performing. He said in the educational setting a reasonable goal can be set for a child as to what test scores he or she ought to be achieving on the ISAT when it is given.

**Mr. DeMordaunt** used the example of two metropolitan school districts in Tennessee where students in the fifth through the eighth grade were divided into four quartiles based on test scores. Teachers teaching these children were also divided into four quartiles based on the results the teachers had with these children. The study showed that the top quartile teachers gave the children at the various quartiles a better chance to pass a high-stakes exam in the ninth grade than children being instructed by teachers in the bottom quartile.

One problem Tennessee is addressing is salary structure, in that the current salary structure does not enhance or reward the top teachers. This is also a problem in Idaho. **Mr. DeMordaunt** said that pay for performance is a tool that can be used to reward high achieving teachers. He said some other tools for improvement can include multiple career paths for teachers, ongoing applied professional growth, instructional focused accountability and performance-based compensation. He said Idaho has a lot of this in place. He said data from ISATs is a good start, but that the test data could use some value-added analysis. He said a challenge is how to accurately measure good music and physical education teachers. Another challenge is making sure the data gathered is reliable and that it is highly correlated with curricular standards.

**Mr. DeMordaunt** said that we need to be able to accurately measure the very low achieving children as well as the high achieving children. He indicated that a service can provide a value-added analysis of the test data for \$2.50 per student and it can be done online.

**Representative Nonini** asked how the teachers' qualities were determined in the Tennessee model. **Mr. DeMordaunt** said the teachers were grouped or ranked based on value-added results. Part of the analysis was whether the students achieved their growth objective in all four years.

**Senator Burkett** asked whether the Tennessee study took students changing schools into account. **Mr. DeMordaunt** assumed it did. **Senator Burkett** asked if there was a coefficient of error calculated into the study. **Mr. DeMordaunt** said he did not know. **Mr. DeMordaunt** did say that there were four years of test data.

**Representative Shirley** asked whether the qualifications of principals and administrators were measured as well. He said that a good principal can set the tone for a school. **Mr. DeMourdaunt** said he did not think there was data for that group. **Representative Shirley** opined that principals and administrators do need to be included if we are looking at the system as a whole.

**Representative Ringo** asked if there was the possibility of a false positive showing up in this

data. **Mr. DeMordaunt** said he did not think so, as the study was done on actual kids and that the better the teacher, the better chance a student in each quartile had to do well on the ninth grade test. **Senator Geddes** asked whether a teacher has an impact on success or failure of a student and **Mr. DeMordaunt** said yes.

**Representative Shirley** said in his opinion, the better your leader is, probably teachers will perform better and the kids will perform better as well. **Representative Shirley** said the system doesn't appear to reward star principals as it should. **Senator Geddes** said this is a puzzle with many factors in it.

The next speaker was **Wendy Horman**, a Bonneville School District Trustee, who spoke on the value of teacher evaluations. She said one of her goals was to have an effective teacher in every classroom. **Ms. Horman** asked **Representative Shively** if there was a teacher that had a positive impact on his life. **Representative Shively** said he fondly remembers his high school band teacher, as the teacher had expectations of the students, belief in the students, gave positive motivation and gave the students responsibility.

**Ms. Horman** said the question is how to objectively evaluate these traits. She said as strong as evaluations are, master contracts between the district and the local education association can have a lot to say about evaluations and their power. **Ms. Horman** said we must honestly evaluate teachers and there are some additional output measures that can be utilized, such as student and parent evaluations, and peer evaluations.

**Ms. Horman** said the Bonneville School District utilizes the Jordan Performance Appraisal System and their master contract authorizes this. This performance appraisal system is used by the Jordan School District in Utah. She said this appraisal system measures competency, promotes professional growth and identifies behaviors contributing to student growth. She said there are five domains included in the appraisal: managing the classroom, delivering instruction, interacting with students, planning, and professional growth and responsibilities.

**Ms. Horman** said the district makes resources available for teachers that don't meet the standard range so they can improve. She said an important part of this system is certification and recertification of evaluators. **Ms. Horman** said there is a reliability piece in the Jordan system that her district does not have. She said they are asking no more of teachers than they do of students. She did say that evaluations have to look to the future to be effective.

**Senator Geddes** asked if the current system makes it difficult to reward teachers for excellent performance. **Ms. Horman** said that is generally true, as compensation is usually based on years of service and educational level attained.

**Representative Wills** asked whether they take into account teacher feedback to principals. **Ms. Horman** said that there is feedback and, if they do the evaluations right, feedback should show up. She said the Jordan Performance Appraisal System does have a formal feedback through

principals, but her district does not use that part of it.

**Representative Wills** said there are cognitive skills that are necessary for teachers to possess. He asked whether there is any training that a teacher can receive from the district if the teacher falls short in certain areas. **Ms. Horman and Ms. McConnell** said there are ongoing classes for teachers, and that teachers and administrators collaboratively set goals.

**Representative Bedke** said there is no secret about what effective teachers are doing. Is there a difference in the skill set between the top and bottom quartiles as far as teachers go? **Ms. Horman** said generally deficiencies will show up in evaluations.

**Representative Bedke** asked what are impediments to having an effective teacher in every classroom. **Ms. Horman** responded that often there are no consequences to a bad evaluation. There is virtually nothing in the system currently for rewarding a teacher for improving competency.

**Representative Nonini** asked whether the teachers in the district like the evaluation system. **Ms. McConnell** said that any time something new is implemented, there are concerns.

**Representative Ringo** said there was a cooperative effort to choose the Jordan Assessment Program and asked who was involved in selecting it or recommending it. **Ms. Horman** said the local education association, administrators, and board members traveled to Utah to view the program. She said there was an administrator and teacher from every school in the district that were involved in the recommendation. **Representative Ringo** asked if the teachers were members of the Idaho Education Association. **Ms. McConnell** said she had no way of being able to give an accurate percentage on that question.

**Representative Ringo** asked if there were any consequences for a negative evaluation. **Ms. Horman** said there are few if any consequences for an initial negative evaluation. **Ms. Horman** continued that the beauty of the Jordan system is that it provides tools to get teachers help in areas where they are weak.

**Senator Bair** asked if ISAT scores have improved more in her district compared to the overall state. **Ms. Horman** believes they have but has no concrete data.

**Dr. Linda Clark**, Superintendent of the Meridian School District, was the next speaker. **Dr. Clark** said she supports performance pay for teachers. Merit pay, as it is currently configured, does not work. She said the current compensation system in place in Idaho is discouraging to young teachers. **Senator Geddes** asked what her district's turnover rate was. **Dr. Clark** said they hired 200 teachers for this year, some of which were the result of new schools being built. She said the district has a total of 1,700 teachers.

**Dr. Clark** said that House Bill 294 introduced last session has a lot of promise. **Dr. Clark**

pointed to the Douglas County Colorado Performance Pay Plan that has been instituted and said that it seems to work. **Dr. Clark** reiterated that tying merit pay to student achievement is a concept that doesn't seem to work, despite good intentions.

**Dr. Clark** next discussed how costly termination can be. She cited an example where the Meridian District ran up \$154,000 in legal bills for one termination. **Representative Ringo** questioned why that figure was so high and **Dr. Clark** said that it involved several levels of the judicial system and said, thankfully, that this does not happen frequently.

**Dr. Clark** said there is some dissatisfaction that there is not enough money in the system to pay for increased salaries to the high achieving teachers. She said a system that would allow high achieving teachers an additional \$10,000 per year would improve morale greatly.

**Representative Bedke** asked what would it take for Meridian to keep from losing good teachers to higher paying districts. **Dr. Clark** said that if enough funds were available to start teachers at \$37,000 to \$40,000 annually, that would help. Also, if it were possible to supplement high achievers at the top end of the salary scale, that would help as well. **Dr. Clark** said that there is a scarcity of special education, math, science, professional-technical and home economics teachers right now and her district has to compete with other districts in hiring them. She said they need to reward teachers who are high achievers, have been loyal and have stayed with the district.

**Dr. Clark** said a problem her district faces is state funding based on average daily attendance versus average daily enrollment. She said her district lost \$1,136,748 last year because of student absences. She said the problem is not so acute at the high school level but does occur at the middle and elementary school levels. She said her district often will have parents that will take younger kids out of school to go on vacation and the district is pretty much powerless to stop that. **Representative Nonini** asked whether **Dr. Clark** was aware of a California statute that allowed a district to bill parents for lost revenue after a certain number of absences. **Dr. Clark** said she was aware of that statute.

The next speaker was **Mr. Brian Julian**, an attorney who represents school districts in termination or disciplinary proceedings. **Mr. Julian** passed out a three page flow chart entitled "Due Process Afforded to All Certified Employees on Category 3 or Renewable Contracts." A copy of the flow chart is on file in the Legislative Services Office. **Mr. Julian** said that when a lawsuit occurs, the average cost can be between \$50,000 to \$100,000 if litigated. **Mr. Julian** also said that an employee being put on probation can be quite time consuming to the districts as administrators or principals must provide remediation to the employee. **Mr. Julian** said the current process is wasteful, as the board of trustees serves as the fact finder; then, if a lawsuit is filed, a trial de novo occurs. He said it would be more efficient to have the process be like a contested case hearing under the Administrative Procedure Act, so that the court could take into account the record generated at the school board level.

**Senator Geddes** asked whether other states have adopted a process that is more streamlined than Idaho's. **Mr. Julian** said there are, but he did not know off the top of his head which ones to

recommend. **Senator Geddes** asked with the system being onerous, might there be a reluctance to utilize counsel. **Mr. Julian** said that he is sure that cost is a factor that enters into decision making.

**Representative Ringo** asked regarding the cost issue, if insurance covered it. **Mr. Julian** said insurance generally does not start to pay until a complaint is filed in court. Insurance will not pay costs at the school board level. **Mr. Julian** said from his perspective that an excellent teacher does not care about the property rights issue regarding his or her contract.

After lunch, **Senator Geddes** gave the results of the survey he had passed out earlier.

- Is our current public educational system able to meet the challenges of a 21<sup>st</sup> Century global economy? Yes, 13; No, 33; No answer, 2.
- Could our public education system be better than it is currently? Yes, 45; No, 1; No answer, 2.
- Should a teacher whose students are not learning continue to teach? Yes, 8; No, 34; No answer, 6.
- Do school administrators adequately recruit and retain the best teaching talent? Yes, 14; No, 28; No answer, 6.
- Are the best teachers adequately recognized and rewarded for their contributions? Yes, 4; No, 35; No answer, 9.
- Do you support teacher tenure after four years of teaching experience? Yes, 7; No, 37; No answer, 4.
- Should all teachers be paid the same level? Yes, 1; No, 42; No answer, 5.
- Do you feel that school administrators have the necessary tools to adequately supervise, motivate and encourage teachers? Yes, 12; No, 23; No answer, 13.
- Would you encourage your child to pursue a career as a public school teacher? Yes, 26; No, 13; No answer, 9.
- If taxpayers are asked to spend significantly more money to support public schools, should they have the right to expect improved results? Yes, 40; No, 0; No answer, 8.

Superintendent of Public Instruction **Tom Luna** presented his Idaho State Teacher Advancement and Recognition System Plan. **Mr. Luna** said he had solicited ideas from the Idaho Association of School Administrators, the Idaho School Boards Association, the Parent-Teacher Association, the Idaho Education Association, the Rural Education Initiative, business groups and key legislators.

**Mr. Luna** said under this plan an existing “steps and lanes” pay system would remain in place for all teachers in Idaho. The current foundation pay system rewards years of experience and education credits. **Mr. Luna** said his plan would give pay increases to teachers who help improve student performance.

**Mr. Luna** gave details of the student achievement step. Pay increases would be based on the

performance of the whole school and would be paid to all certificated staff assigned to the school. There would be two ways to earn pay increases: by school improvement which would be growth or positive changes in Spring ISAT scores, year after year, for the entire school, and school performance which would be excellence of Spring ISAT scores in a given year for the entire school.

**Mr. Luna** said the payment increases for the student achievement step would be as follows:

- For school improvement, \$2,400 pay increase for all certificated staff in a school that reaches the top quartile of improvement in the state.
- A \$1,200 pay increase for all certificated staff in a school that reaches the second quartile of improvement in the state.
- For school performance, \$1,200 pay increase for all certificated staff in a school that reaches the top quartile of excellence in the state.

**Mr. Luna** next discussed the local control portion of this plan or the market scarcity competitiveness pay. He said the problem is that schools are finding it difficult to attract and retain certain specializations such as math, science and special education, and the problem is magnified in rural districts. **Mr. Luna** said the solution would be to give local school districts the funds and flexibility to reward teachers for filling those hard to fill positions.

**Mr. Luna** detailed the local control step. The State Board of Education will designate certain instructional certification and endorsement areas as market scarcity positions based on difficulty in recruitment and retention. Local school boards would select areas from the state list for designation based on local conditions and needs, and local school boards would have the flexibility to designate up to ten percent of the instructional staff in a district as market scarcity positions.

The pay increases for the local control step would be \$2,400 per person annually up to ten percent of instructional staff in a district; the employee must provide instruction or service within the designated market scarcity area to receive the pay increase, and the pay increase would be ongoing for a teacher as long as he or she fills a market scarcity position.

**Mr. Luna** next addressed the career opportunity component of his plan. He said that teachers should be paid and treated more like the professionals they are. The solution would be to give teachers the choice of entering into a non-tenured, multi-year contract. Under this, every teacher would be given the option of moving to a Category 4 contract. Once they take this step, the teachers may not move back to a Category 3 contract. Teachers who take this step would have Category 3 and renewable contracts replaced by a new Category 4 contract which will be similar to superintendents' and principals' contracts.

**Mr. Luna** said the Category 4 contract differs from the Category 3 contract in that teachers with 3+ years of experience could be offered a two-year contract at the discretion of the school board. Teachers with 10+ years of experience could be offered a three-year contract at the discretion of

the school board. Due process would be expanded to allow any students, patrons, parents or employees the opportunity to provide input at the informal dismissal hearing with the school board. No property right would attach to the Category 4 contract. With this there would be a \$2,400 pay increase annually for a teacher who takes the career opportunity step and the opportunity to reach the next two sets in the I-STARS program.

**Mr. Luna** next addressed the expertise element of his program. He said the problem is that school districts need teachers who can teach multiple subjects, especially in rural areas of the state. The solution would be to reward teachers who have multiple endorsements and are qualified to teach in more than one subject area. This would be available to certificated classroom teachers and teachers who have taken the career opportunity step.

Pay increases for the expertise step would be as follows: \$1,200 annually for teachers reaching the first threshold, which would be two certifications or endorsements for those teaching eighth grade or lower, or three certifications for those teaching ninth grade or higher; \$1,800 annually for teachers reaching the second threshold, which would be three certifications or endorsements for those teaching eighth grade or lower, or four certifications for those teaching ninth grade or higher; \$2,400 annually for teachers reaching the third threshold of four certifications or endorsements for those teaching eighth grade or lower, and five certifications or endorsements for those teachers teaching ninth grade or higher.

**Mr. Luna** addressed the leadership step of his plan. He said the problem is that many of Idaho's best teachers are looking for new challenges, but they feel their only option for career advancement is to leave the classroom for a position in administration. He said the solution would be to reward our best teachers for staying in the classroom and taking on additional leadership responsibilities in their school or district. This step would be available to certificated classroom teachers who have 4+ years of experience, teachers who have taken the career opportunity step and up to thirty percent of the teachers in a school district. **Mr. Luna** said districts would have to require at least one leadership duty from a list or they would have the flexibility to come up with their own.

Examples of leadership duties could include mentoring new teachers, developing curriculum or running after school remediation programs. The pay increase for the leadership would be \$2,400 per person annually, for up to thirty percent of the certificated instructional positions in a school district.

**Senator Bair** asked the cost of this plan. **Mr. Luna** said they calculated that it would cost approximately \$60,000,000 if all phases were implemented.

**Representative Ringo** asked if teachers would give up their due process rights if they moved to a Category 4 contract. **Mr. Luna** said they would have the same due process rights that superintendents and principals have currently, and it is optional for the teacher. **Mr. Luna** said if a teacher qualified for a scarcity position, they would not have to opt into a Category 4 contract,

but could stay in the current system.

**Senator Geddes** asked if the problems with the existing process regarding discipline or dismissal could be alleviated with the Category 4 contract. **Mr. Luna** said that the Category 4 contract provides an evaluation process and, if a teacher is found deficient in an area, they are given eight weeks to improve. **Mr. Luna** said a teacher under a Category 4 contract would have the same appeal rights as a superintendent or principal.

**Representative Ringo** asked if a teacher opted into a Category 4 contract, could they go back to the former way of doing things. **Mr. Luna** said the choice would be permanent.

**Representative Shirley** said we want to hire and retain the best new teachers. Freezing salaries of teachers generally does not make teachers want to stay in the profession if they have young families.

**Representative Nonini** asked how the stakeholders received the plan. **Mr. Luna** said he thought it was well received.

**Representative Bedke** said he would like to see turnover problems addressed in small districts. He said it was his experience that a teacher would teach for awhile and then head to a better paycheck in a larger district. He hopes this plan helps to solve that problem. **Mr. Luna** said that under this plan, both starting and experienced teachers could earn more dollars if they have the right expertise and are quality teachers.

**Senator Geddes** asked what was the next step. It appeared to be the consensus of the Task Force to have **Mr. Luna** continue discussion with stakeholders about his plan. **Representative Ringo** asked whether it was the plan to bring back House Bill No. 294. **Senator Geddes** said that he would prefer that **Mr. Luna** shop his plan around the state for comment.

**Regarding the September 10, 2007, minutes, Representative Ringo moved, seconded by Representative Shively, that the minutes be approved as written. The motion carried.**

The Task Force adjourned subject to the call of the chair. The meeting adjourned at 3:25 p.m.