

MINUTES
HOUSE EDUCATION COMMITTEE

DATE: Tuesday, February 12, 2013

TIME: 9:00 A.M.

PLACE: Room WW02

MEMBERS: Chairman DeMordaunt, Vice Chairman Nielsen, Representatives Shepherd, Wills, Bateman, Boyle, Agidius, Clow, Gestrin, Harris, Horman, Mendive, VanOrden, Pence, Kloc, Ward-Engelking

**ABSENT/
EXCUSED:** None.

GUESTS: The sign-in sheet will be retained in the committee secretary's office until the end of the session. Following the end of the session, the sign-in sheet will be filed with the minutes in the Legislative Services Library.

Chairman DeMordaunt called the meeting to order at 9:04 a.m.

MOTION: **Rep. Agidius** made a motion to approve the minutes of February 6 and 7, 2013 with the following correction to February 7, page 1, paragraph 7, President Nellis's first name should be "Dwayne" and not "Wayne". **Motion carried by voice vote.**

RS 21955: **Kris Ellis**, representing Northwest Career Colleges Federation and the Cosmetology School Owners Association, explained **RS 21955** was necessary to meet changes in federal rules. She said the cosmetology schools have to be defined as post secondary schools and must be licensed, by name, by the state board of cosmetology. She noted the schools could only admit, as regular students, individuals who meet the requirement of Idaho Code 54-805. She also explained that there was an emergency clause in the proposed legislation.

Responding to a question from the committee regarding objections from the cosmetology industry, **Ms. Ellis** said there had been none. She related a previous attempt at satisfying the federal rules with a letter of explanation to the US Department of Education, but the federal agency required legislation.

MOTION: **Rep. Nielsen** made a motion to introduce **RS 21955**.

In response to questions from the committee, **Ms. Ellis** said some of the proprietary schools have been made post secondary. She said if they are not compliant, they take steps to come into compliance with federal rules. She related that if the committee were to receive more requests for post secondary status from proprietary schools, there would not be many. To a question regarding the result of not passing the proposed legislation, Ms. Ellis noted the Title IV funding for those schools could end.

**VOTE ON
MOTION:** **Chairman DeMordaunt** called for a vote on the motion to introduce **RS 21995**. **Motion carried by voice vote.**

Anne Ritter, President, Idaho School Boards Association (ISBA) and Trustee in Joint School District No. 2, Meridian, explained discretionary funding, distribution factor and entitlement revenue. She spoke of the hardships of districts trying to do more with less funding. She related the challenges of covering the costs of classified staff, personnel benefits, school supplies and other line item expenditures from discretionary funds. She said the issues facing school districts were critical and urged lawmakers to take steps to improve the financial health of struggling school districts.

Chairman DeMordaunt asked for the clarification of "unit" as used in school funding. **Ms. Ritter** said it is a classroom unit. Larger schools receive fewer funds per student than do smaller schools.

RS 21993: **Karen Echeverria**, Director, ISBA presented **RS 21993**. She explained the purpose of the proposed legislation would change to electronic mailing of teacher contracts if the employee has not responded by a certain date and to an additional US Post Office mailing,

Responding to a question from the committee, **Ms. Echeverria** said the Idaho Education Association (IEA) was not in opposition to this proposal.

Rep. Agidius moved to introduce **RS 21993**. **Motion carried by voice vote.**

RS 21994: **Ms. Echeverria**, presented **RS 21994** to the committee. She said this would give school districts the opportunity to finalize negotiations with school personnel prior to the conclusion of the annual budgeting process. She noted if there was an impasse during negotiations the school district was able to give a "last, best offer."

Responding to a question from the committee, **Ms. Echeverria** said the IEA was not in favor of this proposal.

Chairman DeMordaunt made a clarification, stating the IEA did support splitting the language of the proposed legislation into two bills and had introduced those RS's into the Senate.

Ms. Echeverria, in response to questions from the committee, said the language in the RS was taken from Proposition 1. She said during the two years that Proposition 1 was in place, it worked well. The districts were able to complete negotiations by June 4th. She noted that 20 school boards imposed the "last, best offer" and the Idaho School Board Association reported negotiations were mostly positive. To answer a question regarding those polled by the ISBA, she said the surveys had been sent to all the superintendents in the state. In regard to a question from the committee asking if salary and benefits were all that was negotiable under the proposed legislation, Ms. Echeverria said that was correct.

MOTION: **Rep. Nielsen** made a motion to introduce **RS 21994**. **Motion carried by voice vote.** **Reps. Pence, Kloc and Ward-Engelking** requested that they be recorded as voting **NAY**.

RS 21996: **Ms. Echeverria** presented **RS 21996** which would provide for public school districts and public charter schools, when faced with the need to reduce professional personnel, to do so without incurring additional costs and expenses.

In response to a question from the committee, **Ms. Echeverria** said the IEA did not endorse the proposed legislation although much of the proposed legislation bears identical language to IEA's platform. She said the IEA did not want the performance evaluation to be the deciding factor when there was a reduction in staff.

MOTION: **Rep. Bateman** made a motion to introduce **RS 21996**. **Motion carried by voice vote.** **Reps. Pence, Kloc and Ward-Engelking** requested that they be recorded as voting **NAY**.

Rep. Nielsen clarified the implication of the emergency clause in each piece of proposed legislation. He said as the legislation passes the House and Senate and is signed by the Governor, it immediately becomes law.

ADJOURN: There being no further business to come before the committee, the meeting adjourned at 9:42 a.m.

Representative DeMordaunt
Chair

Jean Vance
Secretary