

MINUTES  
**HOUSE EDUCATION COMMITTEE**

**DATE:** Monday, March 18, 2013

**TIME:** 9:00 A.M.

**PLACE:** Room EW41

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

**ABSENT/  
EXCUSED:** Representative(s) Boyle, Bateman, and Gestrin

**GUESTS:** Don Drum, PERSI Executive Director; Tony Smith, Benton, Ellis and Associates; Marilyn Whitney, Idaho State Board of Education; Harold Ott, Idaho Rural Schools Association; Dan Goicoechea, Chief Deputy, Office of the Idaho State Controller (SCO); Andy McGuire, SCO

**Chairman DeMordaunt** called the meeting to order at 9:01 a.m.

**RS 22293:** **Bruce Newcomb**, Boise State University, introduced **RS 22293**. He said the purpose of the proposed legislation is to provide efficiency and accountability in Idaho higher education and to provide equal status to the four state institutions of higher education. It will also provide increased flexibility to the Idaho State Board of Education to govern the state colleges and universities. He indicated the proposed legislation provides for colleges and universities to utilize the Idaho State Department of Education for services when it makes sense to do so. The proposed law would take effect July 1, 2014, in order to accommodate the process of implementation. He added, there is also a sunset clause of June 30, 2016, to allow the Legislature to evaluate the effects and outcomes, if the proposed legislation becomes law.

**MOTION:** **Rep. Wills** made a motion to introduce **RS 22293**.

Responding to questions from the committee, **Mr. Newcomb** said the agencies and the Idaho State Board of Education have thoroughly discussed the proposed legislation and are in agreement with its contents. He testified that authority for insurance regarding the state colleges and universities presently lies with the State Board.

**VOTE ON  
MOTION:** **Chairman DeMordaunt** called for a vote on the motion to introduce **RS 22293**. **Motion carried by voice vote.**

**RS 22267:** **Rep. Ward-Engelking** presented **RS 22267** indicating the proposed legislation is a trailer bill to **H 259**. She said, in the case of a school district employee's involuntary leave of absence, the district can establish an escrow account. If the involuntary leave is because an employee is removed by criminal court order, but found not guilty, the account funds will be remitted to the employee, along with any back benefits. However, the cost to the school district for hiring a substitute would have been subtracted from that amount. She noted that if the employee is found guilty of a criminal offense, the funds in the escrow account will be remitted to the school district.

In response to a question regarding the placement of the escrow account, **Rep. Ward-Engelking** said the escrow account would be under the umbrella of the school district and not a special bank account. To a further question regarding future exoneration of guilt and school district liability for back wages, she said, the proposed legislation does not speak to that scenario.

**MOTION:** **Rep. Nielsen** made a motion to introduce **RS 22267**. **Motion carried by voice vote.**

**RS 22254:** **Jason Hancock**, Deputy Chief of Staff, Idaho State Department of Education, presented **RS 22254**. He explained the proposed legislation corrects a code reference for online courses.

**MOTION:** **Rep. Agidius** made a motion to introduce **RS 22254** and send it directly to the Second Reading Calendar. **Motion carried by voice vote. Rep. Agidius** will sponsor the bill on the floor.

**RS 22259:** **Jason Hancock**, Deputy Chief of Staff, Idaho State Department of Education, presented **RS 22259**. He testified the proposed legislation will provide more flexibility to school districts coping with limited budgets, by providing two-thirds relief in FY14 from the requirement that school districts allocate a certain amount of funding for school building maintenance, under certain circumstances. He indicated the funds were referred to as "match funds." He said this relief was provided in full for the FY10-FY13 period, under the same circumstances. Mr. Hancock noted this legislation is consistent with the first year of a "three-year, phased-in reinstatement" of the maintenance match requirement approved in the FY14 Public Schools Appropriation Bill. He added that the amount would be reduced if there is a plant facilities levy in place. He said if money is left over, it can be used for one-time hiring of teachers.

In response to questions from the committee, **Mr. Hancock** said he was comfortable with the proposal because the dollars first need to provide safe school buildings. He noted that the proposal only applies to local match money.

In the committee discussion, **Rep. Pence** said the direction of funds, by the State, is the State's response to losing the facilities court decision. She said the court has required the State to do more to insure that children will not attend unsafe facilities.

**MOTION:** **Rep. Nielsen** made a motion to introduce **RS 22259** and send it directly to the Second Reading Calendar. **Motion carried by voice vote. Rep. Mendive** will sponsor the bill on the floor.

**RS 22260:** **Nick Smith** presented **RS 22260**. He said the proposed legislation clarifies that all certificated employees must receive at least one written performance evaluation each year; and, in the case of instructional staff, the evaluation must include at least two documented observations. He added that the proposed legislation came from an evaluations task force with all stakeholders involved.

In response to a question from the committee, **Mr. Smith** explained that the State standards for evaluation are basic minimum standards, leaving room for local control. The districts can use peers for observation; they can write their own plan, using the basic minimums for the skeletal structure.

**MOTION:** **Rep. Horman** made a motion to introduce **RS 22260**.

Responding to a question regarding self-reflection as part of the evaluation equation, **Mr. Smith** said the Danielson Evaluation Model, used by the State, incorporates self-reflection. To an additional question, he said the document's stricken language was deleted from the proposed legislation at the request of the superintendents, in order to protect principals in extraordinary situations.

**VOTE ON MOTION:** **Rep. DeMordaunt** called for a vote upon the motion to introduce **RS 22260**. **Motion carried by voice vote.**

**ADJOURN:** There being no further business to come before the committee, the meeting adjourned at 9:45 a.m.

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Representative DeMordaunt  
Chair

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Jean Vance  
Secretary