

MINUTES  
**HOUSE EDUCATION COMMITTEE**

**DATE:** Monday, February 26, 2018

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

**PLACE:** Room EW42

**MEMBERS:** Chairman VanOrden, Vice Chairman McDonald, Representatives Shepherd, Boyle, Clow, Mendive, Kerby, Cheatham, Amador, DeMordaunt, Moon, Syme, Ehardt, McCrostie, Toone, Gannon(5)

**ABSENT/  
EXCUSED:** None

**GUESTS:** Karen Echeverria, Idaho School Boards Association; Harold Ott, Idaho Rural School Administrators; Gidion Tolmon, Division of Financial Management

**Chairman VanOrden** called the meeting to order at 9:05 a.m.

**UNANIMOUS  
CONSENT  
REQUEST:** **Chairman VanOrden** made a unanimous consent request to introduce **RS 26240**, the new RS number for **RS 26196**. There being no objection, the request was granted.

**RS 26237:** **Chairman VanOrden** said **RS 26237** was pulled from the agenda at the request of the sponsor.

**Chairman VanOrden** turned the gavel over to **Vice Chairman McDonald**.

**H 580:** **Rep. VanOrden** spoke to **H 580**. She said the bill removes the sunset clause on a section of Idaho Code written a few years ago. She introduced **Karen Echeverria**.

**Karen Echeverria**, Idaho School Boards Association, spoke **in support** of **H 580**. She said the bill removes the sunset clause on legislation which allows spouses of school board members to be hired in certain circumstances. The legislation was passed in 2014 as **H 568**. The ISBA heard from rural school districts about the difficulty they have attracting and retaining qualified applicants, and the legislation has been helpful to them, said Ms. Echeverria. In response to questions from the committee, Ms. Echeverria said there were fewer than ten employees in the state falling under this provision.

**Jamie Holyoak**, Grace School District, and **James Robinson** spoke **in support** of **H 580**. They said it is vital to small school districts to have the sunset clauses on this legislation removed, because small, rural districts have difficulty getting qualified applicants in their school district. In response to questions from the committee, Mr. Holyoak said the employees in the Grace School District affected by this legislation are not in certified positions, so they do not participate in negotiations. The law says spouses in certified positions cannot participate in negotiations.

In response to questions from the committee, **Elizabeth Bowen**, Legislative Services Office, said **H 580** repeals the sunset clause on the section of Idaho Code written in 2014. Removing the sunset clause allows the law to remain in effect.

**MOTION:** **Rep. Cheatham** made a motion to send **H 580** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. VanOrden** will sponsor the bill on the floor.

**Vice Chairman McDonald** turned the gavel over to **Chairman VanOrden**

**H 503:** **Duncan Robb**, State Department of Education, spoke to **H 503**. He said the request to be able to place physical therapists and occupational therapists working in schools on the career ladder came from the schools. The administrative rule in **Docket No. 08-0202-1701** gives these employees a method of obtaining certification, and **H 503** allows them to be placed on a rung higher than the first year rung, if they have been working in the school district for many years. All experience from the first year they held a therapist license and worked in a school will be counted. Neither the professional organizations nor the school districts have concerns, he added.

**Rep. Kerby** commented that the subcommittee which reviewed **Docket No. 08-0202-1701** asked that districts be able to be reimbursed for these positions.

**MOTION:** **Rep. Kerby** made a motion to send **H 503** to the floor with a **DO PASS** recommendation. **Rep. Kerby** will sponsor the bill on the floor.

**Mr. Robb** said the language is taken directly from Section 10-01 (a) which is already in statute. In response to questions from the committee, Mr. Robb said **H 503** would not apply to contracted employees. Mr. Robb said approximately fifty employees in the state will be affected by the bill, which is why the Fiscal Note states there will be no or negligible impact to the General Fund. For individual school districts, there may be an impact to their budgets, he said. Speech therapists can already receive a pupil services certificate which places them on the career ladder, said Mr. Robb.

**VOTE ON MOTION:**

**Motion carried by voice vote.**

**H 443:** **Rep. Nate** spoke to **H 443**. He gave examples and statistics of accidental shootings involving minors. At least twelve states allow for gun safety to be taught in schools, he said. **H 443** does not mandate schools to teach firearms safety, said Rep. Nate. It encourages school boards to include classes. Over one-third of Americans own guns, and over two-thirds of Idahoans own guns, he added. In response to questions from the committee, Rep. Nate said a resolution does not have the legal, statutory effect of a law which says districts may include firearms safety instruction.

**Stephanie Gifford** and **Dan Roberts** spoke in support of **H 443**, saying it will be valuable for students to learn responsibility and respect around firearms.

**Tana Dace** and **Kathy Dawes** spoke in opposition to **H 443**, saying gun safety is already provided after school through programs like Fish and Game, when parents can be involved.

In response to questions from the committee, **Rep. Nate** said **H 443** does not require schools to provide firearm safety instruction. The bill encourages schools to provide firearm safety instruction, which could replace something else that would be taught. For example, students learn about fire evacuation plans in class, he said. There is no minimum hour requirement in **H 443**, and there are many different ways to offer the instruction, he added.

**MOTION:** Rep. Kerby made a motion to send H 443 to the floor with a **DO PASS** recommendation. **Motion carried by voice vote. Reps. McCrostie, Toone and Tway** requested to be recorded as voting **NAY. Rep. Nate** will sponsor the bill on the floor.

**ADJOURN:** There being no further business to come before the committee, the meeting was adjourned at 10:12 a.m.

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Representative VanOrden  
Chair

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Jenifer Cavaness-Williams  
Secretary