

MINUTES  
**HOUSE EDUCATION COMMITTEE**

**DATE:** Friday, March 02, 2018

**TIME:** 8:00 A.M.

**PLACE:** Room EW41

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

**ABSENT/  
EXCUSED:** Representative(s) Shepherd, Clow, DeMordaunt

**GUESTS:** Quinn Perry, Karen Echeverria, Idaho School Boards Association; Debbie Critchfield, State Board of Education; Dwight Johnson, Idaho Career Technical Education; Paul Stark, Idaho Education Association; Dave Roberts, Former Representative Steve Smylie, West Ada School District; Rob Winslow, Idaho Association of School Administrators and Idaho Rural School Administrators; Clark Corbin, Idaho Education News

**Chairman VanOrden** called the meeting to order at 8:02 a.m.

**MOTION:** **Rep. Amador** made a motion to approve the minutes of February 5, February 6, February 7, February 8, and February 9, 2018. **Motion carried by voice vote.**

**H 630:** **Duncan Robb**, State Department of Education, spoke to **H 630**. He said the bill creates a rural education support network, which is a small, nimble hub of collaboration which acts as a tool to support rural schools. He described what each section of **H 630** does. In response to questions from the committee, Mr. Robb said sometimes two or three districts are able to come together to create a taxing district. However, this does not work well for some parts of the state to have the support network located in a central location, because of the travel involved.

**MOTION:** **Rep. Amador** made a motion to send **H 630** to the floor with a **DO PASS** recommendation.

In response to questions from the committee, **Mr. Robb** said the Department is asking for up to \$300,000 for up to three years to support the creation of the rural education support network. The intent is to create a foundation on which a sustainable program can be built, and it is estimated it will take three years. This will give districts time to realize savings from collaboration and to re-invest the savings back into the program, said Mr. Robb. The staff size will be small, he added. Mr. Robb said the objective is to facilitate interactions between rural school districts and agencies which can help them. The intent is not for the network to be a regional one, but the Department expects districts next to each other will work together, he added. The early language in **H 630** required more qualifications for the director of the program, said Mr. Robb, but those are not in the new language. The intent of mentioning the salary of the director in Section 7(a) is to provide the legislature an assurance of the potential use of the funds, he said. The amount the network would cost a district each year depends on the services and needs of the districts involved, he added.

**Quinn Perry**, Idaho School Boards Association, spoke in support of **H 630**. She said the association voted to support the bill, as long as the initial money came from the State Department of Education Budget and was not a line item of public funding.

**Rob Winslow**, Idaho Association of School Administrators, spoke **in support of H 630**. He said he was speaking for **Harold Ott**, Idaho Association of Rural School Administrators. In response to questions from the committee, Mr. Winslow said some things the rural districts would benefit from sharing are special education services and school psychologists. School districts could combine to hire a full-time employee in these areas. Although the Idaho Association of School Administrators does some networking towards this effect, it is difficult for someone to find time to organize these efforts, he added.

**Rep. Amador** spoke **in support of H 630**, saying most states have a form of this type of network. It would help rural Idaho school districts but not be as much of a heavy-handed approach as some states use, he added, because of the opt-in approach.

**Rep. Toone** spoke **in support of H 630**. She said she has seen it work mostly for CTE classes, but the teachers spend a lot of time on paperwork.

**Rep. Boyle** spoke **in support of H 630**. She said rural districts cannot afford to hire full-time art, music or physical education teachers, or occupational therapists and physical therapists by themselves. School staff already have many jobs and don't have time to coordinate with other districts. In response to questions from the committee, **Rep. Toone** said **Carl Perkins** Funds were used for CTE classes in her district, but now it is done differently.

In response to questions from the committee about the funding, **Mr. Robb** said, in theory, there could be several networks, each receiving funding. The funding is subject to appropriation, he added. A pre-requisite to continue to receive funding is the network must show how it will be sustainable, he said. The network needs to be run and paid for at the local level to be effective, which is why **H 630** is written this way, said Mr. Robb. The funds could be derived from a local levy, but that is the decision of the local school boards. If the network is working well, districts are in a better place to fund themselves, said Mr. Robb. Although there is lots of technical paperwork required to file for e-rate and Medicaid funds at first, a technical expert can help get revenues from these two programs, he explained. The staff required has not come up as a concern, said Mr. Robb. It could be a former superintendent or business expert. If another network was created in 2020, it would be subject to additional appropriation, said Mr. Robb.

**Rep. Kerby** spoke **in support of H 630**, saying the staff who understand and coordinate e-rate and Medicaid revenues often leave, and most superintendents of small districts would agree this would be helpful.

**MOTION:** **Rep. Mendive** called for the question. **Motion carried by voice vote.**

**VOTE ON MOTION:** **Motion carried by voice vote. Reps. Moon and VanOrden** requested to be recorded as voting **NAY. Rep. Amador** will sponsor the bill on the floor.

**S 1212:** **Tracie Bent**, State Board of Education, spoke to **S 1212**. She said it provides technical corrections, such as changing the term "home economics" to "family and consumer sciences." It also provides for offering CTE programs in the seventh and eighth grade, as well as high school.

**MOTION:** **Rep. Amador** made a motion to send **S 1212** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote. Reps. Mendive, Moon, and Cheatham** requested to be recorded as voting **NAY. Rep. Amador** will sponsor the bill on the floor.

**S 1221:** **Tracie Bent**, State Board of Education, spoke to **S 1221**. She said it codifies the process of credit transfer between public institutions and streamlines some language to make it easier to read. When students transfer to a post-secondary education, having earned an Associate's Degree in high school, they will not have to take the general education courses. Students who completed general education courses but did not receive an associate's degree will also not have to re-take the general education courses, said Ms. Bent. This allows them to pursue a bachelor's degree and only have to take the upper-level credits. There is not always an explanation of why credits did not transfer from one institution to another, and **S 1221** requires the second institution to explain why the credits did not transfer and to explain the review process to the student. Subsection six stipulates that public institutions cannot discriminate against students based on credits transferred, she added.

**MOTION:** **Rep. Mendive** made a motion to send **S 1221** to the floor with a **DO PASS** recommendation.

In response to questions from the committee, **Ms. Bent** said the Board would require a little more review of courses from private institutions. It would review the courses and build a bank of courses which transfer.

**VOTE ON MOTION:** **Rep. Amador** invoked Rule 38 stating a possible conflict of interest. **Motion carried by voice vote. Rep. Mendive** will sponsor the bill on the floor.

**S 1278:** **Duncan Robb**, State Department of Education, spoke to **S 1278**. He said the bill removes outdated wireless technology standards from the code. He showed examples from the bill language. He said it provides guidance to the school district, and it strikes language which limits the grade ranges for which wireless technology is provided. The state now provides wireless funding to all schools, he added.

**MOTION:** **Rep. McCrostie** made a motion to send **S 1278** to the floor with a **DO PASS** recommendation.

In response to questions from the committee, **Chris Campbell**, Chief Technology Officer State Department of Education, said the committee which helped with the bill were three superintendents, technology representatives from the Idaho Technology Association, and the State Department of Education.

**VOTE ON MOTION:** **Motion carried by voice vote. Rep. McCrostie** will sponsor the bill on the floor.

**S 1293:** **Karen Echeverria**, Idaho School Boards Association, spoke to **S 1293**. She said that, because of the teacher shortage in Idaho, some teachers are on an interim certificate, requiring they be enrolled in and working towards completion of a teaching certificate through the alternate certification route. The teachers on the interim certificates gain more due process rights each year, said Ms. Echeverria. Contracts must be offered by July first, and the school district does not receive the teacher's certificate until October. A category three contract provides for a due process hearing, if the teacher is not hired, said Ms. Echeverria. What some districts are finding is that they have offered a contract to teachers who may not have completed the course work required for certification, she added.

**MOTION:** **Rep. McDonald** made a motion to send **S 1293** to the floor with a **DO PASS** recommendation.

**Paul Stark**, general counsel for the Idaho Education Association, spoke in **opposition to S 1293**. He said school districts are required by law to offer a returning teacher a contract by July first. The problem arises, because the district does not receive the teacher certifications from the State Department of Education until October. The school districts could adopt a policy of the teachers on alternate certification reporting their status before the July 1 deadline, said Mr. Stark. If a statutory change is needed, the alternative certificate can be placed on a category one, two or three contract. **S 1293** sends the wrong message to teachers, that contracts are under attack, said Mr. Stark. In response to questions from the committee, Mr. Stark said a category two contract requires the school district to give the reasons for non-renewal of contract. A category three contract requires the district give the reasons for non-renewal of the contract, and the teacher is entitled to an informal hearing. If the reason for non-renewal is a performance issue, the teacher is entitled to an eight-week probationary period. A category one contract can only be used for teachers hired after August first. If the teacher is not doing a good job, a teacher on a category one contract can be let go without being given reasons or a hearing, said Mr. Stark. In response to questions from the committee, Mr. Stark said the expectation is that teachers who choose not to inform the school board of their progress would not receive a contract.

In response to questions from the committee, **Pete Koehler**, Chief Deputy Superintendent, said approximately 900 teachers were on the alternative certification last year, and the trend is growing.

**Dave Roberts**, West Ada School District Human Resources, spoke in **support of S 1293**. He said teachers using the alternate route to certification are already receiving special treatment, and the accountability should be with the teacher, not the district. The State Department of Education is busy and has a back log of teacher certification renewals each summer, and the school district loses funding for teachers without certification. In response to questions from the committee, Mr. Roberts said a teacher could be placed on a category one contract until the teacher is certified, at which time the teacher will be moved to the category corresponding to the number of years employed in the district, but this would be the option of the district. The district is not compelled to offer a contract to teachers on a category one contract. If the teacher has applied for an alternate certification, the district can find out, and if the teacher has not applied, the district wouldn't offer the contract. It is not a viable solution for the district to be in charge of certification progress checks, he added.

**Steve Smylie**, West Ada School District Trustee, spoke in **support of S 1293**. He said there is a need for the alternate route to certification, especially for foreign language and special education. However, the district has to take the teachers' word until it receives the transcripts and certification. The language in the administrative rule is permissive, said Mr. Smylie, and **S 1293** encourages teachers to finish their certification. In response to questions from the committee, Mr. Smylie said the districts do not have the ability to make policies when there is confusion with state law. The bill makes things easier for the district, teachers, and students, he added.

**Ms. Echeverria** said teachers may believe they are on track to finish their certification, but they do not know until Fall. If teachers are not able to complete their certification in three years, the district probably doesn't want them, she added. The cost of a hearing is seven to ten thousand dollars, said Ms. Echeverria. In response to questions from the committee, Ms. Echeverria said some teachers requested informal hearings, but the district can't hire them, because they are not certificated.

In response to questions from the committee, **Mr. Roberts** said West Ada did not have teachers requesting hearings, but there are several teachers on a three-year provisional contract who had not finished their certification.

**Ms. Echeverria** said the issue is one of timing. A category two contract offers more rights than a category one contract, but less than a category three contract.

**Rep. Kerby** spoke in opposition to the motion. He said **S 1293** hurts smaller districts and sends a chilling message to teachers.

**Rep. McCrostie** spoke in support of the motion. He said he respected the contract process and teachers' rights, and there is a need for those teachers using alternative certification routes to meet certain standards. If they haven't completed the certification, they shouldn't be given a contract, he added.

**Rep. Ehardt** spoke in opposition to the motion, saying **S 1293** would hurt rural districts.

**Rep. McDonald** spoke in support of the motion. He said teachers know what the standards are and what will happen if they do not meet them.

**Rep. Amador** spoke in opposition to the motion. He said the state created a timing issue in the statute, and it needs to be fixed, but he does not support **S 1293**.

**VOTE ON MOTION:**

Roll call vote was requested. **Motion failed by a vote of 5 AYE, 8 NAY, 1 Abstain, 2 Absent/Excused. Voting in favor** of the motion: **Reps. VanOrden, McDonald, McCrostie, Toone, Gannon (5).** **Voting in opposition** to the motion: **Reps. Amador, Ehardt, Kerby, Boyle, Mendive, Cheatham, Moon, Syme.** **Rep. Clow** abstained. **Reps. Shepherd** and **DeMordaunt** were absent/excused.

**ADJOURN:**

There being no further business to come before the committee, the meeting was adjourned at 10:07 a.m.

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Representative VanOrden  
Chair

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Jenifer Cavaness-Williams  
Secretary