

MINUTES
HOUSE EDUCATION COMMITTEE

DATE: Wednesday, March 03, 2021

TIME: 8:00 A.M.

PLACE: Lincoln Auditorium

MEMBERS: Chairman Clow, Vice Chairman Kerby, Representatives Boyle, Mendive, DeMordaunt, Moon, Marshall, Wisniewski, Galloway, Yamamoto, McCrostie, Berch, Toone

**ABSENT/
EXCUSED:** Reps. Ehardt, Shepherd

GUESTS: Anna Miller, Idaho Freedom Foundation; Paul Stark, Idaho Education Association (IEA); Josie Fretwell, teacher; Luke Omodt, teacher; Marsha Azorsky, citizen; Erin Paradis, teacher and IEA representative; Mark Hand, citizen; Tyler Hurst, citizen; Joni Cashman citizen; Peggy Hoy teacher and negotiator; Julie Nawrocki, teacher and negotiator; David Gibson, citizen; Jenn Halladay, citizen; Katrena Hauger, teacher and IEA representative; Rob Shoplock, Professional Fire Fighters of Idaho (PFFI); Anja Sundari, PFFI; Brady Dickensen, Superintendent Twin Falls School District; Wayne Hoffman, IFF; Marilyn Whitney, Deputy Superintendent, Communications & Policy, State Department of Education (SDE); Tim McMurtrey, Deputy Superintendent of Operations SDE

Chairman Clow called the meeting to order at 8:00 a.m.

MOTION: **Rep. Toone** made a motion to approve the minutes of the February 23, 2021 meeting. **Motion carried by voice vote.**

H 174: **Rep. Moon** introduced legislation to allow school districts the option of whether or not to engage in collective bargaining with organizations.

Anna Miller, IFF, testified **in support** of **H 174** due to the forced school closure in the West Ada School District and forced bargaining which can treat some teachers unfairly. She stated the IFF has concerns about the withheld education and special education services. In answer to committee questions, Ms. Miller stated that the mandatory bargaining does not incentivize union organizations to operate for the benefit of the taxpayers. She stated approximately 700 teachers participated in a coordinated sick-out in the West Ada School District which prevented hundreds of other teachers from working; there are over 2,400 teachers in the district. Ms. Miller answered committee questions, discussing the negative effects students have suffered when being denied an education and special needs services. She stated the legislative change will protect students and restore the balance of power from the current system which is undemocratic in her opinion.

Paul Stark, IEA, spoke **in opposition** to **H 174**, stating structured negotiation procedures benefit districts, teachers and the community. He also testified teachers were not the ones initiating this change because negotiations give all teachers a voice. In answer to committee questions, Mr. Stark confirmed the schools should have 50% plus one in order to participate, confirming it's the union's goal to represent the majority. He stated the union represents over 50% plus one at the West Ada School District.

Rep. Marshall stated the union organizations may not represent 50% plus one because they do not consistently verify membership with school boards.

Mark Hand, Tyler Hurst, Jenn Halladay, Wayne Hoffman, IFF, spoke **in support** of **H 174**.

Josie Fretwell, Luke Omodt, Marsha Azorsky, Erin Paradis, Joni Cashman, Peggy Hoy, Julie Nawrocki, David Gibson, Katrena Hauger, Brady Dickensen spoke in opposition to H 174.

Jenn Halladay testified that the teacher's union only represents 30% of West Ada School District teachers.

Rob Shoplock, PFFI, testified in opposition to H 174, as his organization represents approximately 1300 members and would be affected by the legislative change. He stated the legislation will change the nature of the relationship between the teachers and the school boards, providing examples in which labor organizations serve a valuable purpose to society.

In response to committee questions, **Rep. Moon** clarified schools will have the option whether or not to participate and negotiations will continue either with teachers or union members. She stated her goal is to get students, particularly special needs students, back in school receiving benefits. Rep. Moon stated changing "shall" to "may" in the law will restore a balance and provide more decision making authority to the teachers and districts. The firefighters union will also be impacted by the change.

MOTION: **Rep. Mendive** made a motion to send H 174 to the floor with a **DO PASS** recommendation.

SUBSTITUTE MOTION: **Rep. Yamamoto** made a substitute motion to send H 174 to the floor without recommendation.

VOTE ON SUBSTITUTE MOTION: Roll call vote was requested. **Substitute motion failed by a vote of 4 AYE and 9 NAY and 2 absent/excused. Voting in favor of the substitute motion: Vice Chairman Kerby, Reps. Yamamoto, McCrostie and Toone. Voting in opposition to the substitute motion: Reps. Boyle, Mendive, DeMordaunt, Moon, Marshall, Wisniewski, Galloway, Berch and Chairman Clow. Reps. Ehardt and Shepherd were absent/excused.**

VOTE ON ORIGINAL MOTION: Roll call vote was requested. **Motion carried by a vote of 8 AYE and 5 NAY and 2 absent/excused. Voting in favor of the motion: Reps. Boyle, Mendive, DeMordaunt, Moon, Marshall, Wisniewski, Galloway, and Yamamoto. Voting in opposition to the motion: Vice Chairman Kerby, Reps. McCrostie, Berch, Toone and Chairman Clow. Reps. Ehardt and Shepherd were absent/excused. Rep. Moon will sponsor the bill on the floor.**

ADJOURN: There being no further business to come before the Committee, the meeting adjourned at 10:22 a.m.

Representative Clow
Chair

Christine Reynolds
Secretary