

MINUTES  
**SENATE EDUCATION COMMITTEE**

**DATE:** Wednesday, March 17, 2021

**TIME:** 3:00 P.M.

**PLACE:** Room WW02

**MEMBERS PRESENT:** Vice Chairman Crabtree, Senators Den Hartog, Woodward, Lent, Johnson, Cook, Ward-Engelking, and Nelson

**ABSENT/ EXCUSED:** Chairman Thayn

**NOTE:** The sign-in sheet, testimonies and other related materials will be retained with the minutes in the committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.

**CONVENED:** **Vice Chairman Crabtree** called the meeting of the Senate Education Committee (Committee) to order at 3:02 p.m.

**H 264** **Relating to Public Charter Schools; Amends Existing Law to Revise Provisions Regarding Public Charter School Facilities Funds. Blake Youde**, on behalf of the Idaho Charter School Network, outlined the bill.

**DISCUSSION:** **Senator Ward-Engelking** handed out printed slides showing the condition of various schools in Idaho (see Attachment 1). She also informed the Committee that in 2020, 5 bonds were run, and all 5 failed; in 2019 20 bonds were run, and 16 failed; in 2018 19 bonds were run, and 13 failed. She said it's time to level the playing field for Idaho's traditional schools, which need help with facilities funding.

**MOTION:** **Senator Cook** moved to send **H 264** to the floor with a **do pass** recommendation. **Senator Lent** seconded the motion. The motion carried by **voice vote**.

**H 265** **Relating to Education; Amends Existing Law to Provide for the State Share of the Transportation Support Program Following an Emergency. Mr. Youde** outlined the bill for the Committee.

**DISCUSSION:** **Senator Cook** said the cost of transportation mentioned in **H 265** went down but they are still asking for the State to pay the same amount. **Marilyn Whitney**, Deputy Superintendent of Communications and Policy, State Department of Education, said the hardest issue for districts to manage during the pandemic was transportation. This bill addresses those times when a bus needs to be used other than to transport students, such as when school administrators recently directed buses to deliver laptops and meals to students during the pandemic. **Senator Cook** said he sees this issues as more of a contract negotiation problem. **Ms. Whitney** said districts cannot amend transportation contracts in the middle of the school year, but have developed a new process to amend existing contracts moving forward. The pandemic highlighted that a bill regarding transportation issues, in the event of another pandemic, was in order.

**Senator Ward-Engelking** asked if all school districts have contracts for transportation. **Ms. Whitney** said a lot of districts run their own fleets but others use contractors. **Senator Johnson** asked why districts choose to contract transportation services. **Ms. Whitney** said districts that contract try to find cost efficiencies rather than assuming the costs and personnel in district payroll. **Senator Den Hartog** asked if the school districts could use the Coronavirus Aid, Relief, and Economic Security (CARES) Act money for paying these costs. **Ms. Whitney** said they can use CARES money moving forward but not for the contracts already in place prior to the pandemic.

- MOTION:** **Senator Woodward** moved to send **H 265** to the floor with a **do pass** recommendation. **Senator Ward-Engelking** seconded the motion. The motion passed by **voice vote**, with **Senator Cook** asking to be recorded as voting nay.
- H 280** **Relating to Education; Amends Existing Law to Revise Provisions Regarding Professional Endorsements.** **Blake Youde** outlined the bill for the Committee.
- TESTIMONY:** **Monique Lenz** and **Karisa Phelps**, of Ashton, Idaho, sent in written testimony in opposition to **H 280** (see Attachment 2). They said they felt that allowing individuals who do not have a degree or an endorsement to be paid as a professional teacher is an insult to teachers, and that Idaho classrooms would fall apart without proper training and certification for teachers.
- MOTION:** **Senator Ward-Engelking** moved to send **H 280** to the floor with a **do pass** recommendation. **Senator Den Hartog** seconded the motion. The motion carried by **voice vote**.
- H 174** **Relating to Education; Amends Existing Law to Provide That a Board of School District Trustees May Enter Into a Negotiation Agreement With a Local Education Organization.** **Representative Dorothy Moon** outlined the bill for the Committee.
- DISCUSSION:** **Senator Den Hartog** asked if the teacher membership numbers vary in a district, if the district is still required to negotiate with teachers. **Representative Moon** said the 50 plus 1 rule is still required, but the school board is not required to negotiate. **Senator Johnson** asked if there are school districts not large enough to negotiate. **Representative Moon** said yes, some are very small but lead teachers will do negotiations. **Senator Johnson** asked what they are allowed to negotiate for. **Representative Moon** said normally, salaries and benefits. Due to the pandemic, they are seeing bargaining concerning new issues such as how far each school desk must be apart, but they need to return to discussing salaries and benefits. **Senator Lent** said this bill offers significant change and he communicated with multiple teachers throughout the State who are concerned about this bill. He cautioned using **H 174** to make changes that will affect the entire State based on the one incident that transpired in West Ada school district.
- TESTIMONY:** **Peggy Hoy**, of Twin Falls, Idaho; **Wesley DePew**, teacher from Jerome, Idaho; **Jackie Johnson**, teacher from Saint Maries, Idaho; **John Thomas**, teacher in Hailey, Idaho; **Rob Shoplock**, Vice President, Professional Firefighters of Idaho; **Paul Stark**, General Counsel, Idaho Education Association; and **Brandi Milliram**, resident of Idaho, testified in opposition to **H 174**. They stated that **H 174** would deteriorate the relationship between teachers and school boards. The bill would disenfranchise teachers, and kill collective bargaining, and it does nothing to help students they claimed. **Josie Fretwell**, of Boise, Idaho; and **Melanie Bemis**, Hailey, Idaho, sent in written testimony in opposition to **H 174** (see Attachment 3). They said teachers unions are vital at the local level to advocate for fair pay, wages, benefits, and contract terms. They asked the Committee to vote no on **H 174** to ensure fair bargaining continues.
- DISCUSSION:** **Senator Cook** asked Mr. Stark what would happen if **H 174** passed. **Mr. Stark** said this bill would give districts carte blanche to impose working conditions and terms on school district employees. **Senator Cook** asked can't districts do that now. **Mr. Stark** said no, not exactly, there is a definition of bargaining in statute which compels each party to bargain in good faith. **Senator Den Hartog** asked what is the biggest impediment to getting kids back to school. **Mr. Stark** said there are so many different voices involved in the process of reopening schools and sometimes that can derail progress.

**Senator Johnson** asked who runs or endorses candidates. **Mr. Stark** said local associations have endorsed candidates but was unsure if any had run candidates.

**TESTIMONY:** **Anna Miller**, Idaho Freedom Foundation; and **Mark Hand**, Nez Perce, Idaho, testified in support of **H 174**. They felt that local districts would work in good faith with teachers and not cause division.

**MOTION:** **Senator Lent** moved to hold **H 174** in Committee to the call of the Chair. **Senator Nelson** seconded the motion. The motion carried by voice vote, with **Senators Den Hartog** and **Cook** asking to be recorded as voting nay.

**ADJOURNED:** There being no further business at this time, **Vice Chairman Crabtree** adjourned the meeting at 4:30 p.m.

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Senator Crabtree  
Vice Chair

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Florence Lince  
Secretary