

CAPITOL



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“Education is simply the soul of a society as it passes from one generation to another.” --G.K. Chesterton

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WEEK TWO – MUCH THE SAME AS THE FIRST WEEK

The Legislature is now in week two and, unfortunately, there are some side activities that seem to be slowing the work of the body.

When bills are brought to the floor of the Legislature, they usually ask for unanimous consent that the bill not be read in full. The intent of that is to not take up valuable time reading legislation that legislators should have read prior to that time. Unfortunately, a legislator objected to that unanimous consent so the clerk was forced to read the bill in its entirety. She indicated that the reason she did that was for transparency purposes for the public. As you can imagine, if similar requests continue, it could cause some serious havoc with the work of the House.

RULES REVIEW WEEK

During the first few weeks of the Legislature, the germane committees review Administrative Rules that have been promulgated throughout the previous year.

The House Education Committee got off to a rocky start because some supplementary materials that had been provided to the Committee could not be located. Once the materials were located, the subcommittees were able to listen to reports on each rule from the State Board of Education (SBOE) and make decisions about approval or rejection.

The Senate Education Committee did have some concerns with a new rule related to Continuous Improvement plans. After a motion to approve the rule died on a 5-4 vote, there was a motion and a 2nd to reject the rule. After some discussion between the committee

members, the motion to reject was pulled and the rule held until next week. Some of the members had concerns about what they perceived as more posting of information and that the SBOE had no authority to ask that the plans be submitted to them for review.

I should note that the statute does require every school district to have a Continuous Improvement Plan with specific metrics and it must be posted on the web. This rule, for the most part, outlines what is in the statute. However, the Committee felt the rule went too far.

The Committee can reject pieces and parts of the rule rather than the entire rule if they choose to do that. At the end of the meeting, the members agreed to review the rule more carefully and determine if the entire rule needed to be rejected or just parts of the rule. It is my understanding that will occur early next week.

CLARIFICATION ON SOME ITEMS IN THE GOVERNOR'S BUDGET

We learned this week that the projections for student growth this year are 99 support units short. That means that we will need to take \$8.5 million out the Public Education Stabilization Fund (PESF). That is the purpose of the fund, but it also means the Legislature will likely want to put some funds back into that pot of money.

The bigger concern is that it also has an impact on next year as well. Not only do we need to project growth for next year, but we need to account for the underestimation of this year's growth. As such, just to fund the new growth numbers, the cost of the Career Ladder has increased an additional \$4.4 million to a total of \$62,400,000. In addition, the growth will impact other areas of the budget as well. If everything holds steady in the Governor's budget, plus the growth, it increases his budget from 6.4% to 6.9%. That means that we will need to remain even more focused on the ISBA overarching philosophy of assuring that the Career Ladder is funded.

Other items of interest include the \$15million in health insurance. I did learn this week that it represents a 10% increase over what school districts and charter schools are currently paying for health insurance premiums. It is our understanding that "others" are working on this line item with the intent of finding a way to put all of the health insurance premium costs in that line item rather than just the amount of the projected increase in premiums. We will continue to watch this one closely.

Not in the Governor's Budget but Will Impact K12

In the SBOE budget – the Governor is recommending and has asked for \$2.5 million for the Principals Pursuing Excellence Program. This is a program out of New Mexico and is a voluntary program to provide support and professional development to school administrators in low-performing schools to help them identify strategies for school improvement.

This program and funding is in addition to the \$2.5 million that resides in the K12 budget for administrator training on teacher evaluations.

In the Idaho Department of Health and Welfare budget – the Governor is recommending and has asked for \$155,200 for two new employees to manage a contract with a third-party billing agency to give school districts throughout the State the option of assistance with their Medicaid claims and reimbursement forms. While we are appreciative of this effort, we are concerned that the employees will not be looking out for the best interest of special needs students, their families, and the schools who provide services to them.

OTHER LEGISLATION

Governor's Office

The Governor's Office will be running a few pieces of legislation. One that may be of interest to K12 relates to STEM education. The purpose of the legislation is to provide an opportunity for public schools to earn a STEM school designation or STEM program designation. It requires the SBOE and the STEM Action Center to work together to develop requirements for a STEM designation and to implement a review for those schools and programs seeking a STEM designation. The Governor has also asked for some funds to be set aside that can be provided to a school or program that gains this designation.

State Department of Education (SDE)

As I reported to you last week, the SDE is still trying to promote an incubator plan for a Rural Schools Network program. After providing our initial comments to the SDE, I did meet with them on Friday morning to discuss our concerns. The SDE has been receptive to our comments and is making changes to the current draft of the legislation. In addition, Superintendent Ybarra is going to ask that the funds come from her budget as opposed to the Public Education Budget.

With that said, one major concern remains with the legislation. The funding for each of the Networks will only be for one year. After that, each of the Networks that form will need to find a mechanism under which they can be sustained. In other words, there will be no ongoing funding. There will only be funding for the first year. It will be up to our membership, through the Government Affairs Committee (GAC), to determine if we can support the legislation without continued funding.

Idaho Freedom Foundation (IFF)

The IFF is planning to run several pieces of legislation that could impact school districts. They relate to negotiations and transparency. Because the way this legislation is written, it will not impact charter schools. The GAC has reviewed preliminary versions of the legislation and may be reaching out to you for comment.

Some of the legislation does relate to local governance and flexibility for school districts. The GAC will need to keep our overarching statement in mind as they discuss this legislation and determine how to proceed from there.

All of this legislation will be extremely controversial and we will definitely have school districts in favor of the legislation and we will school districts who oppose it. If the legislation actually

receives a hearing, it will mean that we will need to take valuable time and resources to represent our position. That is valuable time and resources that we could be spending working to get the funding that we all need. If the legislation is printed and/or gets a hearing, I'm sure that you will be hearing from the GAC officers in your Region.

As part of our review of this legislation, the Lt. Governor has asked that we reach out to school districts and charter schools and ask for your assistance. It has to do with all of the material that school districts and charter schools are required to post on their websites. The Lt. Governor asked if there are things that make it difficult to keep it updated. Now, I know, and he acknowledged, that most of the difficulty has to do with the lack of staff and time to do it. But, his specific question was whether specific parts of the law make compliance difficult. Can you please respond to me or others in the office and let us know if there are requirements in the transparency law, Section 33-357, Idaho Code, that your district or charter has trouble meeting? Thanks in advance for your help.

REMINDERS

This week is Education Week at the Capital. There will be numerous presentations to the Committees from all the higher education institutions and other programs.

Superintendent Ybarra will present the K12 budget to the Joint Finance Appropriations Committee on Thursday morning at 8 am. You can view that presentation on the web if you are interested.

ISBA LEGISLATION BASED ON RESOLUTIONS

Below is our progress on each of the ISBA Resolutions. If there is a change from last week, that text is *italicized*.

Public Notice Alternatives (2016) – Legislation Needed

Status: The Newspaper Association is adamantly opposed to this legislation. We have tried to find some language that they might be able to support but have, thus far, been unsuccessful.

Discussion of Sale of Public Property within Executive Session (2016) – Legislation Needed

Status: We attempted to come to consensus with the Newspaper Association on this issue last year, but were unable to do so. We are currently working with some of our partners who are also impacted by this legislation to assure that they are in agreement as well. We remain hopeful that we can draft legislation that will meet everyone's needs.

Optimize the Reimbursement of School-Based Medicaid Program (2016) – Legislation Needed - Legislation

Status: After spending two years trying to work with the Department of Health and Welfare to find a resolution to this issue, we have decided to run legislation. The legislation is drafted and we have secured at least one sponsor. *We have legislation that has an RS number and we plan to meet Monday to take our first steps.*

Administrators in Districts with Remote Schools (2016) – Legislation Needed

Status: We continue to have discussions with the Senate Education Chair and the main sponsoring school district on this issue. We do not believe the Chair will hear this legislation.

Beyond the Smarter Balanced Assessment Consortium Test (2016) – Work with the State Department of Education and the State Board of Education

Status: We continue to work with the State Department of Education and the State Board of Education to assure that we are involved in discussions with any next steps when it comes to statewide student testing.

Information on Past Job Performance Requirements (2016) – Held at the request of the sponsoring school district

Status: The sponsoring school district (Moscow), has asked us to hold off on legislation for this year.

Retention of Retired Teachers (2017) – SBOE is drafting legislation

Status: The State Board of Education has drafted legislation that will allow school districts to rehire teachers who have retired at the age of 60 – it is currently age 62. Once this legislation comes before the committees, we will stand in support of this legislation.

Funding School Construction (2017) – Legislation Needed

Status: The sponsoring district is working with their local legislator in hopes of drafting some legislation to address this issue. There are several ways to address it but most would include a tax increase. *We have been working with the sponsoring district (West Ada). They have been working some legislative leadership and we hope to discuss with them in detail next week.*

Reducing the Supermajority for School District Bonds (2017) – Legislation Needed

Status: It requires a constitutional amendment so would take 2/3 of the House and 2/3 of the Senate to approve it. At that time, it would go on the ballot for the citizens to determine if this is good public policy. *We believe we have a sponsor for this Constitutional Amendment and will forward that this week.*

Reduce the 2/3 Majority Vote Requirement to go into Executive Session – Legislation Needed

Status: This legislation is drafted. *We have a sponsor for the bill and will be forwarding that this week.*

Opposition to Amending Article IX Section V of the Idaho Constitution (Blaine Amendment)

Status: This resolution requires ISBA to oppose any legislation that would ask for an amendment to the constitution. This amendment would allow public funds to flow to private and parochial schools. It is still early in the year and we have not heard whether or not any legislator will bring legislation forward on this issue.

Rural School Centers

Status: See comments above.

Salary Based Apportionment for Classified Employees – Legislation Needed

Status: There are many ways to address an increase in funding for classified staff. That could include changing the factor or simply increasing the total dollars in this line item. Because of the significant amount that will likely be placed in teacher's salaries this year, we may need to wait until next year before we begin addressing this issue.

STAY TUNED

You can view any bills that are moving through the Legislature at the following link:

<https://legislature.idaho.gov/sessioninfo/2017/legislation/>

If you want to listen in to committee meetings or watch debate in JFAC or on the floor of either chamber, that link can be found at:

<http://idahoptv.org/insession/leg.cfm>

