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LEGISLATURE OF THE STATE OF IDAHO
Sixty-second Legislature Second Regular Session - 2014

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1 AN ACT
2 RELATING TO EDUCATION; PROVIDING SEVERABILITY AND PROVIDING AN EFFECTIVE
3 DATE.

4 Be It Enacted by the Legislature of the State of Idaho:

5 SECTION 1. LEGISLATIVE INTENT. It is the intent of the Legislature to
6 support and implement the recommendation of the 2013 Task Force for Improv-
7 ing Education regarding the accountability structure involving schools.
8 (Task Force Summary Recommendations 5 and 7 and Structural Change Subcommit-
9 tee Recommendations 2.1 and 2.3.) The Legislature supports the Task Force's
10 observation that the existing accountability structure, which relies on
11 compliance mandates, is ineffective. A new accountability model based upon
12 accountability for student outcomes is needed. Further, it is the intent
13 of the Legislature that accountability from the state level should focus on
14 the district superintendent level. Accountability below the superintendent
15 level should be reserved for local leadership. Finally, it is the intent of
16 the Legislature that each district be required to develop and implement a
17 strategic plan.

18 SECTION 2. That Chapter 1, Title 33, Idaho Code, be, and the same is
19 hereby amended by the addition thereto of a NEW SECTION, to be known and des-
20 ignated as Section 33-118E, Idaho Code, and to read as follows:

21 33-118E. ACCOUNTABILITY BASED ON STUDENT OUTCOMES -- STRATEGIC
22 PLAN. (1) The state board of education shall adopt and implement an account-
23 ability structure for K-12 schools in Idaho. The accountability structure
24 shall reflect the following characteristics:

- 25 (a) A district's strategic plan, as provided for in subsection (3) of
26 this section, which shall be focused on improvements in student out-
27 comes and shall identify key focus areas for the district;
- 28 (b) An annual planning memorandum that outlines key themes and sets ex-
29 pectations; and
- 30 (c) An end of year status report that reflects results as measured
31 against strategic plan goals.

32 (2) In the event a district underperforms, the district board of
33 trustees and the state board of education shall collaborate and agree on
34 a remediation plan, which may include, but not be limited to, leadership
35 changes.

36 (3) Each school district shall develop and implement a strategic plan.
37 The plan shall identify district-wide needs and establish goals to meet
38 those needs. The district board of trustees and the state department of
39 education shall provide oversight of the plan to ensure that it is appropri-
40 ate to local circumstances and is consistent with and supports the state's

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1 education goals. Such plan shall be reviewed and updated annually by the
2 district.

3 (4) The state board of education is hereby authorized to promulgate
4 rules to implement the provisions of this section. The board shall develop
5 such rules through negotiated rulemaking.

6 SECTION 3. LEGISLATIVE INTENT. It is the intent of the Legislature to
7 support and implement the recommendation of the 2013 Task Force for Improv-
8 ing Education regarding the autonomy of local school districts. (Task Force
9 Summary Recommendation 6 and Structural Change Subcommittee Recommendation
10 2.2.) The Governor's Office, the State Board of Education and the State De-
11 partment of Education shall evaluate existing education laws and adminis-
12 trative rules, amend or repeal administrative rules through the negotiated
13 rulemaking process, and propose legislation to remove provisions that im-
14 pede local autonomy, frustrate flexibility to adapt to local and unique cir-
15 cumstances, and restrict the ability of school districts to respond quickly
16 and effectively to local needs.

17 SECTION 4. LEGISLATIVE INTENT. It is the intent of the Legislature to
18 support and implement the recommendation of the 2013 Task Force for Improv-
19 ing Education regarding a statewide electronic collaboration system for ed-
20 ucators. (Task Force Summary Recommendation 8 and Structural Change Subcom-
21 mittee Recommendation 3.2.) It is the further intent of the Legislature that
22 the State Board of Education develop and implement a statewide electronic
23 collaboration system for educators across the state to share ideas and re-
24 sources. The Legislature notes that technology innovations must be lever-
25 aged to help teachers collaborate, create learning communities and share re-
26 sources and best practices.

27 SECTION 5. That Chapter 12, Title 33, Idaho Code, be, and the same is
28 hereby amended by the addition thereto of a NEW SECTION, to be known and des-
29 ignated as Section 33-1284, Idaho Code, and to read as follows:

30 33-1284. STATEWIDE ELECTRONIC COLLABORATION SYSTEM. (1) The state
31 board of education, in collaboration with the state department of education,
32 representatives from local school districts, educators and others, shall
33 develop and implement a statewide electronic collaboration system.

34 (2) The state board of education is hereby authorized to promulgate
35 rules to implement the provisions of this section. The board shall develop
36 such rules through negotiated rulemaking.

37 SECTION 6. LEGISLATIVE INTENT. It is the intent of the Legislature to
38 support and implement the recommendations of the 2013 Task Force for Improv-
39 ing Education regarding high speed bandwidth and wireless infrastructure
40 and educator and student technology devices. (Task Force Summary Recommen-
41 dations 9 and 10 and Structural Change Subcommittee Recommendations 3.3 and
42 3.4.) The Legislature supports expanding high speed bandwidth to ensure
43 that every public school has the bandwidth and wireless infrastructure nec-
44 essary for equal access and use across the state. The Legislature's support
45 of this effort will include appropriations for the maintenance, repair and
46 upgrades of this necessary equipment. In addition to and as a corollary to

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1 providing infrastructure, it is the intent of the Legislature to ensure that
2 every educator and student in Idaho's public schools have reasonable and
3 adequate access to current technology devices. Technology will continue to
4 expand, grow and improve, and the Legislature considers it necessary that
5 our teachers and students have adequate and reliable access to such technol-
6 ogy.

7 SECTION 7. That Chapter 57, Title 67, Idaho Code, be, and the same is
8 hereby amended by the addition thereto of a NEW SECTION, to be known and des-
9 ignated as Section 67-5745F, Idaho Code, and to read as follows:

10 67-5745F. HIGH SPEED BANDWIDTH AND WIRELESS INFRASTRUCTURE -- TECH-
11 NOLOGY DEVICES. (1) The state board of education and the state department of
12 education shall develop and implement a plan to expand high speed bandwidth
13 and wireless infrastructure to every public school and public charter school
14 in this state. The legislature shall provide funding to accomplish and im-
15 plement the plan and shall provide funding to maintain, repair and upgrade
16 the infrastructure as needed.

17 (2) The state board of education and the state department of educa-
18 tion shall ensure that every educator and student have adequate access to
19 technology devices and software to develop and assist learning in public
20 schools. The legislature shall provide funding to implement the provisions
21 of this subsection.

22 (3) The state board of education is hereby authorized to promulgate
23 rules to implement the provisions of this section. The board shall develop
24 such rules through negotiated rulemaking.

25 SECTION 8. LEGISLATIVE INTENT. It is the intent of the Legislature
26 to support and implement the recommendation of the 2013 Task Force for Im-
27 proving Education regarding the restoration of operational funding. (Task
28 Force Summary Recommendation 11 and Fiscal Stability/Effective Teachers and
29 Leaders Subcommittee Recommendation 1.1.) The Legislature finds that re-
30 ductions in "discretionary funding" (hereinafter referred to as operational
31 funding) have occurred at the same time that costs for insurance premiums,
32 utilities, fuel and other operating expenses have significantly increased.
33 Consequently, districts have made up the shortfall in funding by cutting,
34 reducing or eliminating expenditures for professional development, con-
35 tent materials, bus routes and kindergarten offerings as well as imposing
36 furloughs of and reductions in professional and other staff. Restoring op-
37 erational funding to 2009 levels will help address this fiscal instability
38 in Idaho school districts. The Legislature finds that restoration of such
39 funding to 2009 levels (approximately \$82.5 million) is necessary, should
40 be accomplished by fiscal year 201__, and that future appropriations beyond
41 fiscal year 201__ will need to further increase funding as the circumstances
42 require.

43 SECTION 9. LEGISLATIVE INTENT. It is the intent of the Legislature to
44 support and implement the recommendation of the 2013 Task Force for Improv-
45 ing Education regarding educator mentoring. (Task Force Summary Recommen-
46 dation 15 and Fiscal Stability/Effective Teachers and Leaders Recommen-

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1 tion 2.2.) It is the intent of the Legislature that each district shall de-
2 velop a mentoring program, based upon the Idaho mentor program standards as
3 developed in 2009, for the support of new teachers and that the Legislature
4 adequately fund this critical program.

5 SECTION 10. That Chapter 12, Title 33, Idaho Code, be, and the same is
6 hereby amended by the addition thereto of a NEW SECTION, to be known and des-
7 ignated as Section 33-1282, Idaho Code, and to read as follows:

8 33-1282. MENTORING PROGRAM. (1) Notwithstanding the provisions of
9 section 33-512(17), Idaho Code, each school district shall develop a mentor-
10 ing program for the support of the following:

- 11 (a) New teachers;
- 12 (b) Teachers who are changing grade levels;
- 13 (c) Teachers who are teaching subjects that are either new to them or
14 have not been taught by them within the immediately previous five (5)
15 years; and
- 16 (d) Any teacher who requests mentoring.

17 (2) The district's mentoring program shall be based upon the guidelines
18 of the Idaho mentor program standards as referred to by the 2013 task force
19 for improving education.

20 (3) The legislature shall provide adequate funding each fiscal year for
21 the costs of district mentoring programs.

22 (4) The state board of education is hereby authorized to promulgate
23 rules to implement the provisions of this section. The board shall develop
24 such rules through negotiated rulemaking.

25 SECTION 11. LEGISLATIVE INTENT. It is the intent of the Legislature
26 to support and implement the recommendation of the 2013 Task Force for Im-
27 proving Education regarding job-embedded collaboration and professional
28 development. (Task Force Summary Recommendations 16 and 17 and Fiscal Sta-
29 bility/Effective Teachers and Leaders Subcommittee Recommendations 2.3 and
30 2.4.) The Legislature finds that implementing the provisions of these rec-
31 ommendations will substantially increase teacher effectiveness, which is
32 paramount to student success, thereby improving the public education system
33 of this state.

34 SECTION 12. That Chapter 12, Title 33, Idaho Code, be, and the same is
35 hereby amended by the addition thereto of a NEW SECTION, to be known and des-
36 ignated as Section 33-1283, Idaho Code, and to read as follows:

37 33-1283. JOB-EMBEDDED COLLABORATION -- PROFESSIONAL DEVELOP-
38 MENT. (1) Notwithstanding the provisions of section 33-512(17), Idaho Code,
39 each school district shall implement ongoing teacher professional devel-
40 opment and on-site teacher collaboration in a manner consistent with the
41 recommendations of the 2013 task force for improving education regarding
42 job-embedded collaboration and professional development. Such programs
43 shall follow, where appropriate, research-based standards developed by the
44 national staff development council.

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1 (2) Each district shall prioritize, monitor and coordinate resources
2 for teacher professional development and shall provide resources and time
3 for on-site teacher collaboration.

4 (3) The legislature shall appropriate sufficient moneys to implement
5 adequate and ongoing teacher professional development.

6 (4) The state board of education is hereby authorized to promulgate
7 rules to implement the provisions of this section. The board shall develop
8 such rules through negotiated rulemaking.

9 SECTION 13. LEGISLATIVE INTENT. It is the intent of the Legisla-
10 ture to support and implement the recommendation of the 2013 Task Force
11 for Improving Education regarding the training and development of school
12 administrators, superintendents and school boards. (Task Force Summary
13 Recommendation 18 and Fiscal Stability/Effective Teachers and Leaders Sub-
14 committee Recommendation 2.5.) The Legislature concurs with Task Force
15 comments that effective leadership is a cornerstone of effective schools.
16 Consequently, the Legislature finds that the state must increase its efforts
17 to train, develop and support Idaho school administrators, superintendents
18 and school boards.

19 SECTION 14. That Chapter 3, Title 33, Idaho Code, be, and the same is
20 hereby amended by the addition thereto of a NEW SECTION, to be known and des-
21 ignated as Section 33-358, Idaho Code, and to read as follows:

22 33-358. SCHOOL LEADERSHIP TRAINING AND DEVELOPMENT. (1) The state
23 board of education is hereby authorized to develop and implement Idaho stan-
24 dards for effective school administrators, superintendents, and school
25 boards.

26 (2) The standards provided for in subsection (1) of this section shall
27 be developed in consultation with stakeholders and shall be implemented
28 through a pilot program prior to statewide implementation.

29 (3) The state board of education is hereby authorized to promulgate
30 rules to implement the provisions of this section. The board shall develop
31 such rules through negotiated rulemaking.

32 SECTION 15. LEGISLATIVE INTENT. It is the intent of the Legislature
33 to support and implement the recommendation of the 2013 Task Force for Im-
34 proving Education regarding enhanced clinical training opportunities for
35 prospective teachers through the state's colleges of education. (Task Force
36 Summary Recommendation 19 and Fiscal Stability/Effective Teachers and Lead-
37 ers Subcommittee Recommendation 2.6.) It is the intent of the Legislature
38 that curriculum at the state's colleges of education should be strengthened
39 to provide enhanced clinical field experiences for prospective educators.

40 SECTION 16. That Chapter 12, Title 33, Idaho Code, be, and the same is
41 hereby amended by the addition thereto of a NEW SECTION, to be known and des-
42 ignated as Section 33-1285, Idaho Code, and to read as follows:

43 33-1285. TEACHER TRAINING OPPORTUNITIES. (1) The state board of edu-
44 cation, in collaboration with the state's colleges of education, shall re-
45 vise and strengthen clinical field experience for and training opportuni-

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1 ties for prospective teachers and otherwise assure that prospective teach-
2 ers receive education and training from such college's of education to ade-
3 quately prepare them for classroom teaching.

4 (2) The state board of education is hereby authorized to promulgate
5 rules to implement the provisions of this section. The board shall develop
6 such rules through negotiated rulemaking.

7 SECTION 17. LEGISLATIVE INTENT. It is the intent of the Legislature to
8 support and implement the recommendation of the 2013 Task Force for Improv-
9 ing Education regarding Idaho's participation in implementing the Council
10 of Chief State School Officer's (CCSSO) recommendations to better ensure
11 that teachers and principals are able to prepare students for college and
12 the workforce. (Task Force Summary Recommendation 20 and Fiscal Stabil-
13 ity/Effective Teachers and Leaders Subcommittee Recommendation 2.7.) The
14 Legislature notes that the CCSSO's recommendations focus on certain issues
15 addressed by the Task Force, including licensure. The Legislature supports
16 Idaho's continued participation in the "Our Responsibility, Our Promise"
17 recommendations.

18 SECTION 18. SEVERABILITY. The provisions of this act are hereby de-
19 clared to be severable and if any provision of this act or the application
20 of such provision to any person or circumstance is declared invalid for any
21 reason, such declaration shall not affect the validity of the remaining por-
22 tions of this act.

23 SECTION 19. This act shall be in full force and effect on and after July
24 1, 2015.