



STATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL
LAWRENCE G. WASDEN

March 29, 2019

Via Email: sybarra@sde.idaho.gov

Sherri Ybarra
Superintendent of Public Instruction

Dear Superintendent Ybarra:

You have asked me to compare H. 293 with H. 153(12) and to identify any issues between the two pieces of legislation as it relates to professional pay for teachers. As a preliminary matter, H. 293 is a reporting statute by school districts to the Board of Education and H. 153(12) dictates teacher pay under the career ladder.

Although it appears to be implied, H. 293 does not require minimum pay for teachers. The bill requires that the school establish a "local salary schedule" and then report that schedule to the Board of Education. One could infer that a school district will follow or implement the pay schedule referred to in H. 293, but the statute does not appear to expressly require payment according the "local salary schedule." Teacher pay instead is established by H. 153(12), which sets entry level pay at \$42,500 as indicated below.

Teacher pay is dictated by the career ladder in HB 153(12), which was amended this session to establish professional pay for first year teachers at \$42,500. The challenge is that H. 293 and H. 153 do not reference one another nor use consistent language. In order to avoid confusion, the two pieces of legislation should likely reference one another and use consistent language. It appears that the practical effect, should both piece of legislation pass will be that starting professional pay for first year teachers will be \$42,500. However, since the career ladder is frequently adjusted each session, cross referencing the statutes or utilizing similar language will create a "local salary schedule" that mirrors the career ladder "professional compensation rung."

I hope that you find this brief analysis helpful.

Sincerely,

A handwritten signature in black ink that reads "Leslie M. Hayes".

Leslie M. Hayes
Deputy Attorney General

LMH:em
cc: Marilyn Whitney
Peter McPherson