

MINUTES
SENATE EDUCATION COMMITTEE

DATE: Thursday, January 21, 2016

TIME: 3:00 P.M.

PLACE: Room WW55

MEMBERS PRESENT: Chairman Mortimer, Vice Chairman Thayn, Senators Nonini, Patrick, Souza, Den Hartog, Anthon, Buckner-Webb and Ward-Engelking

ABSENT/ EXCUSED: None

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: **Chairman Mortimer** called the Education Committee (Committee) meeting to order at 3:07 p.m.

RS 24218 **Brad Little**, Lieutenant Governor, State of Idaho, presented **RS 24218**. He explained the resolution affirms the State Board of Education's goal that 60 percent of Idahoans ages 25 to 34 attain a postsecondary degree or certificate by the year 2020. Achieving this goal will enable Idaho to grow talent, fuel innovation and foster economic competitiveness in the state.

MOTION: **Vice Chairman Thayn** moved to send **RS 24218** to print. **Senator Ward-Engelking** seconded the motion. Motion passed by **voice vote**.

PASSED THE GAVEL: Chairman Mortimer passed the gavel to Vice Chairman Thayn.

DOCKET NO. 47-0101-1501 **Tracie Bent**, Chief Planning and Policy Officer, Idaho State Board of Education (Board), presented **Docket No. 47-0101-1501**, Rules of the Idaho Division of Vocational Rehabilitation (IDVR). She explained the IDVR Field Service Manual (FSM) is currently incorporated by reference into administrative rule. The manual contains internal processes to IDVR as well as eligibility and program requirements for the people and agencies IDVR serves. She said there are processes in the FSM that more appropriately belong in manual of the agency. There are also technical corrections being made which align with federal regulations.

Ms. Bent introduced Teresa Pitt, Planning and Evaluation Manager, Idaho Division of Vocational Rehabilitation, to help present and answer questions from the Committee.

Ms. Pitt stated there are two sections to the FSM that are being changed: 1.) the financial participation of recipients and 2.) the extended services. She explained the agency is changing the way the customers' monetary contributions are being calculated to include a more gradual increasing scale of financial participation based on the customers' fiscal means. The changes to the extended services are to remove procedures that no longer reflect what is actually being done. She explained the new procedures can be found through the IDVR's internal portal.

Senator Souza asked for clarity in the term "customer monetary participation." **Ms. Bent** explained the payments from customers are determined by a sliding scale based on their income levels as determined by federal regulations.

Chairman Mortimer asked why the financial qualification has changed from 300 to 200 percent of the Federal Poverty Level. **Ms. Pitt** explained that during the rulemaking process in 2013, the financial participation structure was changed due to a decrease in financial participation by the customers. Because the goal of IDVR is for customers to have an investment in their plan the reduction would support the philosophy.

Chairman Mortimer stated that he believed there are significant demands for services. He asked if this change will affect customers' ability to get services. **Ms. Pitt** replied the amount of financial involvement by customers is relatively small. Based on their research many will still not contribute towards their plan because their financial resources are so limited.

Ms. Bent explained the changes to the extended services involve the removal of the rules. She stated that those are not rules but rather how things are to be done. She said those items being removed can now be found in the IDVR policies and procedures manual.

Senator Den Hartog asked if the Board sees a difference between management of rules and policy. **Ms. Bent** replied the policies taken from the FSM will be updated periodically based on changes due to federal requirements. She explained the programs that are regulated by federal mandates have a lot of policies that are not duplicated in administrative rules. The rule of thumb is that rules inform those outside the agency what to do, and the policies inform the agency how to perform the tasks. She highlighted the technical corrections.

Senator Anthon asked in the section under Individualized Plan for Employment (IPE) why the categories of "homemaker" and "unpaid family worker" have been removed. **Ms. Pitt** replied this change is from the Workforce Innovation and Opportunity Act (WIOA) from the federal government. She explained that both of those employment outcomes are not considered Competitive Integrated Employment (CIE) therefore have been deleted from the law.

Senator Souza asked Ms. Pitt to explain the terms and why the categories were removed. **Ms. Pitt** explained the law now focuses on CIE and these categories do not meet the requirements. Senator Souza asked her to explain CIE. **Ms. Pitt** stated individuals with disabilities are working amongst those without disabilities and are paid at a rate commensurate to what individuals without disabilities are paid. She explained the guidelines IDVR must follow for those clients.

Chairman Mortimer asked if the procedures that have been removed will be replaced by new procedures. **Ms. Bent** replied there will be no new procedures. She explained these processes will be moved into agency policy and procedure manuals.

Senator Anthon expressed his frustration with the federal changes to the IPE regarding unpaid family worker and homemaker categories. **Ms. Bent** replied that the agency will probably continue to work with those individuals; they just cannot count them in the federal reporting.

Chairman Mortimer asked what percentage of funds come from the state's General Fund and what percentage come from federal reimbursements. **Ms. Pitt** said approximately 80 percent of the funds come from federal money, and the other 20 percent is from the state.

MOTION:

Chairman Mortimer moved to accept **Docket No. 47-0101-1501**. **Senator Ward-Engelking** seconded the motion.

Chairman Mortimer said this is a good lesson for the Committee in the rules process. He stated he is not sure he is happy with all the procedures going out of rules and into administrative policy when he believes it does affect the program. This is an opportunity for the Committee to understand what is going on with IDVR and the education of individuals with disabilities.

Motion passed by **voice vote**.

**PASSED THE
GAVEL:**

Vice Chairman Thayn returned the gavel to Chairman Mortimer.

RS 23983

Blake Youde, Chief Communication and Legislative Affairs Officer, Idaho State Board of Education (Board), presented **RS 23983**, relating to general powers of the Board of Trustees of Community College Districts. He stated the intent is to amend, correct, clarify powers and make technical corrections. He cited that this amends Idaho Code § 332107 to require the board of trustees of a community college district to obtain an appraisal prior to the purchase or disposal of property. He stated the RS adds language stating that this be done in the manner as prescribed by schools district trustees of the state. He highlighted that Idaho Code §33601 requires that within one year prior of the purchase or disposal of property, school district boards must have property appraised. **Mr. Youde** says this amendment extends that requirement to community college districts. The Board has included this as part of their legislative agenda. These provisions promote fiscal accountability and transparency.

MOTION:

Senator Nonini moved to send **RS 23983** to print. **Senator Souza** seconded the motion.

Chairman Mortimer asked why there was no reference to the Idaho Code § 332107 in the legislation. **Mr. Youde** referred the question to Ms. Bent. **Ms. Bent** explained that it is for consistency of language so as to match the other sections.

Motion passed by **voice vote**.

RS 23984

Mr. Youde presented **RS 23984**, relating to scholarships, technical corrections, amended sections, addition of provisions and correct code citations. **Mr. Youde** explained this legislation addresses two different scholarships the Board oversees: 1.) clarifies qualifications for Armed Force and Public Safety Officer Scholarship (AFPSOS) and 2.) amends the responsibility for investment management of the Opportunities Scholarship (OS). He explained the changes to the scholarship code reflect the current practice. Adding this provision will provide consistency. **Mr. Youde** said the changes to the OS allow for the Endowment Fund Investment Board (EFIB) to be used as another entity that can invest those funds. The purpose for this option is the EFIB provides long-term investment opportunities.

Senator Den Hartog stated she is looking forward to hearing more information regarding the scholarship fund once this RS comes back to Committee for the bill hearing.

Senator Nonini wondered if the fiscal note is correct. He asked if there could be a loss in the investment. **Mr. Youde** said he was unsure of the amount of risk incurred.

Senator Buckner-Webb asked how the AFPSOS is promoted. **Mr. Youde** explained the Board advertises the OS in a variety of media venues popular with students. The AFPSOS is promoted by personal referrals and the state's websites.

MOTION:

Vice Chairman Thayn moved to send **RS 23984** to print. **Senator Nonini** seconded the motion. Motion passed by **voice vote**.

RS 24023

Mr. Youde presented **RS 24023**, Career Technical Education. The intent is to amend and make technical corrections. He explained this legislation is for name changing of the agency: Professional Technical Education to Career Technical Education. This change will bring new opportunities for grant funding and is consistent with industry standards.

Senator Souza stated that in the private industry, changing names is expensive, signage and letterhead being examples. She asked if the fiscal note is correct.

Mr. Youde said he will follow up with the current administrator and return with an updated fiscal note.

MOTION:

Senator Souza moved to send **RS 24023** to print. **Senator Den Hartog** seconded the motion. Motion passed by **voice vote**.

ADJOURNED:

There being no more business, **Chairman Mortimer** adjourned the meeting at 4:00 p.m.

Senator Dean M. Mortimer
Chair

LeAnn Mohr
Secretary