

MINUTES
SENATE EDUCATION COMMITTEE

DATE: Tuesday, January 17, 2017

TIME: 3:00 P.M.

PLACE: Room WW55

MEMBERS PRESENT: Chairman Mortimer, Vice Chairman Thayn, Senators Winder, Nonini, Den Hartog, Guthrie, Crabtree, 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 3:00 p.m.

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

DOCKET NO: 08-0501-1601 **Rules Governing Seed and Plant Certification.** **Vice Chairman Thayn** explained to the committee this Docket will be sent to the Senate Agricultural Affairs Committee to be discussed. **Chairman Mortimer** specified that this has to do with seed.

MOTION: **Chairman Mortimer** moved to send **Docket No: 08-0501-01601** to the Senate Agricultural Affairs for review. **Senator Den Hartog** seconded the motion. Motion carried by **voice vote**.

DOCKET NO: 08-0102-1601 **Rules Governing the Postsecondary Credit Scholarship Program.** **Tracie Bent**, Chief Planning and Policy Officer, State Board of Education (SBE), explained the SBE process in bringing rules to the committee. There are public hearings and people can speak directly to the State Board, prior to the board approving them, either as a proposed or a pending rule. She specified that **Docket No: 08-0102-1601** is the creation of a new chapter in the administrative rule. This section outlines the process to apply for a scholarship; as well as clarification on some terms that were included but not formally defined. She spoke about the process of how students can apply for the scholarship and who can apply. The code set the outside parameters of the qualifiers for the scholarship. Included in the rules are: the definitions of each type of scholarship; the application process; selection process and continuous enrollment.

DISCUSSION: **Chairman Mortimer** asked if there was an exception for military service. **Ms. Bent** stated that the statute would have to be amended. **Senator Nonini** asked about LDS students on their mission suggesting they would not be able to enroll until after they return. **Ms. Bent** confirmed that an LDS student could not enroll until returning, and even if the student took a break and returned that going beyond the four years would not be allowed.

MOTION: **Senator Guthrie** moved to approve **Docket No: 08-0102-1601**. **Senator Ward-Engelking** seconded the motion. Motion passed by **voice vote**.

DOCKET NO: 08-0104-1601 **Rules Governing Residency Classification.** **Ms. Bent** explained the amendment to the rules are statutory changes regarding individuals receiving instate tuition were passed last year. Changes opened up and simplified the rules to defined residency requirements. The biggest change was the additional language that allowed individuals that completed six years of Idaho schooling or graduated from an Idaho high school and automatically qualified them for instate tuition. There was also: the deletion of rules that were not needed; which included full-time student definitions; and what constitutes full-time enrollment. The identification of a full-time student was done by the institutions of higher education. Other public institutions were added, which were previously not listed. The biggest change was in Section 103 where individuals outside of the time frame from when they graduated from high school, but had been residents and had chosen to go to a private school in the state, still qualified for resident tuition.

DISCUSSION: **Senator Winder** asked if the National Guard and Reserved Forces are generic terms or if the Armed Forces applied to all Military Reserves. **Ms. Bent** affirmed that the statute clearly specifies the definition. **Senator Winder** questioned the participation of Merchant Marines, trying to clarify what falls under the general category and what is not defined. **Ms. Bent** stated that as the federal terms change, the rule changes accordingly. She will follow up with those inquiries. **Senator Winder** requested follow up information.

MOTION: **Senator Den Hartog** moved to accept **Docket No: 08-0104-1601**. **Senator Ward-Engelking** seconded the motion. **Chairman Mortimer** asked **Senator Winder** if it was made clear or if he had some hesitancy. **Senator Winder** responded with being satisfied, based on the fact that most of the Military Reserve Units are covered, but he would like to see if there are some alternatives for next year. Motion passed by **voice vote**.

DOCKET NO: 08-0109-1601 **Rules Governing the Gear UP Idaho Scholarship Program.** **Ms. Bent** stated this is a repeal of a rule. The federal requirement changed for participants. The scholarship will be administered based on the federal requirements.

MOTION: **Senator Ward-Engelking** moved to adopt **Docket No: 08-0109-1601**. **Senator Nonini** seconded the motion. Motion passed by **voice vote**.

DOCKET NO: 08-0201-1604 **Rules Governing Administration – Statewide Average Class Size.** **Ms. Bent** explained the rule is a result of a legislative change regarding the use it or lose it provision, tying into the statewide average class size. The rule defines the individual groups, and was negotiated by the school Board Associations along with the State Department of Education– Tim Hill who actually does the calculations. In this rule the class sizes are determined by four groups. **Chairman Mortimer** questioned if the rule affects funding to the schools. **Ms. Bent** stated that it was correct. The number of staff to hire is according to the categories and will still receive the same amount of money based on the ADA assessment, and the staff allowance calculations. **Vice Chairman Thayne** suggested that it looked like the four groups were the same, and asked what the differences were. **Ms. Bent** responded with the differences being based on the number of students the districts have. The alignment is where the district number breaks are.

MOTION: **Chairman Mortimer** moved to accept **Docket No: 08-0201-1604**. **Senator Winder** seconded the motion. Motion passed by **voice vote**.

DOCKET NO: 08-0203-1609 **Rules Governing Thoroughness – Graduation Requirement and Proficiency.** **Ms. Bent** indicated the rule relates to graduation requirements for the proficiency on the Idaho Standards Achievement Test. There were two amendments: clarification to school districts to define the seat time; and the mastery definition. The amendments had a small clean up, however, the big clean up has to do with accountability for school districts for minimum proficiency and alternate routes. The alternate routes, while not approved by the State Board of Education (SBE) were submitted to the SBE and reviewed. This amendment removes the requirement for students to show proficiency on the Idaho Standards Achievement Test, but it does not remove the use as an accountability measure from the school districts.

MOTION: **Senator Buckner Webb** moved to adopt **Docket No: 08-0203-1609**. **Senator Den Hartog** seconded the motion. **Chairman Mortimer** questioned whether there should be an exam, suggesting there are some alternates such as a G.E.D. Explaining that as the committee works through the current year, and next year, there will be inquiries if something else can be used to determine a minimum for students to graduate. Motion passed by **voice vote**.

DOCKET NO: 08-0203-1610 **Rules Governing Thoroughness – Career Technical Education (CTE) Secondary Programs, Academic Content Standards (ACS).** **Ms. Bent** stated that the content standards had not previously been included in the Administrative Rule. The current standards that are included in the Administrative Rule are non CTE or referred to as ACS. Proposing to incorporate standards by reference into the Administrative Rule. The SBE proposed that CTE have the same weight and strength as the academic standards. **Ms. Bent** outlined for the Committee each of the categories of CTE. The standards have been in existence for some time and have not changed, it was just a matter of incorporating those already in place into the rule.

DISCUSSION: **Vice Chairman Thayn** questioned the flexibility of the rules and having standards that are inflexible. **Ms. Bent** responded that the same weight and transparency as the academic standards apply. **Chairman Mortimer** asked if the program standards relate to the badges or certificates. **Ms. Bent** replied that the standards for a secondary programs where the area of a badge has been developed could be a qualification. **Chairman Mortimer** followed up with a question about transferring or dual enrollment. **Ms. Bent** confirmed that the Division of Career Technical Education (DCTE) is going through a process to assure alignment with a seamless transition. The standards are going through the process and the division is in the final stages of the process. **Chairman Mortimer** commented that he hopes these standards are working towards a more seamless transition. **Vice Chairman Thayn** questioned **Ms. Bent** about input from secondary instructors in the field. **Ms. Bent** concluded that the DCTE brought the standards forward, these were negotiated. She gave an overview of how instruction criteria is developed.

MOTION: **Senator Den Hartog** moved to accept **Docket No: 08-0203-1610**. Seconded by **Chairman Mortimer** Motion passed by **voice vote**.

DOCKET NO: 08-0203-1611 **Rules Governing Thoroughness – Civics and Government Content Standards Proficiency - Graduation Requirements.** **Ms. Bent** stated this pending rule pertains to the graduation requirements, including civics and government and students proving to be proficient in standards. One way to show proficiency is the use of the U.S. Citizenship Test. School districts asked for alternate testing other than the U.S. Citizenship Test. An alternate measure can be considered more rigorous than the U.S. Citizenship Test.

MOTION: **Chairman Mortimer** moved to accept **Docket No: 08-0203-1611**. **Senator Den Hartog** seconded the motion. Motion passed by **voice vote**.

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

ADJOURNED: There being no further business, **Chairman Mortimer** adjourned the meeting at 3:47 p.m.

Senator Dean M. Mortimer
Chair

LeAnn Mohr
Secretary

Amber Highburger
Assistant Secretary