

MINUTES  
**SENATE EDUCATION COMMITTEE**

**DATE:** Wednesday, February 28, 2024

**TIME:** 3:00 P.M.

**PLACE:** Room WW55

**MEMBERS PRESENT:** Chairman Lent, Vice Chairman Toews, Senators Den Hartog, Nichols, Carlson (Forsmann), Herndon, Lenney, Ward-Engelking, and Semmelroth (Moser)

**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 Lent** called the meeting of the Senate Education Committee (Committee) to order at 3:02 p.m.

**S 1308** **EDUCATION - Amends and adds to existing law to include instruction for current adoption practices.** **Senator VanOrden** explained that the bill added adoption education to sex education and reproductive health curriculum. **Senator VanOrden** invited Terri Marcroft of Unplanned Good to present. **Ms. Marcroft** introduced herself. She explained that Unplanned Good was a national, nonprofit advocacy organization which supported adoption across the country. She said **S 1308** provided that current adoption practices, adoption resources, and the Safe Haven Act were shared in Idaho schools when contraception was instructed. She stated this legislation was necessary to educate young women about all of their options in the event they faced an unplanned pregnancy. She pointed out that it was helpful for young women to have this information before they were in a crisis. She explained modern adoption practices and options.

**DISCUSSION:** **Senator Nichols** inquired about what curriculum was used in schools. **Ms. Marcroft** explained that each school district chose its curriculum. She added that she worked with Debbie Critchfield, Idaho Superintendent of Public Instruction, to research a variety of curricula. None of the curricula included adoption information.

**TESTIMONY:** A letter from Terri Marcroft in support of **S 1308** appears in Attachment 1. A letter from Lieutenant Governor of Idaho, Scott Bedke, in support of **S 1308** appears in Attachment 2.

**MOTION:** **Senator Nichols** moved to send **S 1308** to the floor with a **do pass** recommendation. **Vice Chairman Toews** seconded the motion. The motion carried by **voice vote**.

**PASSED THE GAVEL:** Chairman Lent passed the gavel to Vice Chairman Toews.

**S 1356**

**EDUCATION - Amends and adds to existing law to provide for a strategic plan for school districts and public charter schools and to provide for a certain training for school district board of trustee members and public charter school board of directors members.** **Chairman Lent** explained that **S 1356** pertained to school boards and school board member training. It replaced the continuous improvement plans with strategic plans developed locally by the school districts. He said **S 1356** increased local control and the flexibility for school districts to identify and measure the student outcomes that were important to their community. He shared that the primary goal of **S 1356** was to teach fundamental skills to school boards, to build school board capacity, and to drive student achievement in schools. **Chairman Lent** walked the Committee through the bill. He shared a study from Education Leadership Review, December 2020, which pointed to the positive correlation between school board training and student academic achievement.

**DISCUSSION:**

**Senator Herndon** asked Chairman Lent to confirm that the requirement for every board of trustee member to participate in literacy intervention, orientation, and training by June 2023 was removed. **Chairman Lent** invited Ryan Cantrell, Chief Deputy Superintendent, State Department of Education, to comment. **Mr. Cantrell** explained that the structure of the training had changed. **Senator Herndon** asked Mr. Cantrell to describe the difference between a continuous improvement plan and a strategic plan. **Mr. Cantrell** replied that a continuous improvement plan was perceived by some as a box-checking exercise and not a true plan. He added that a continuous improvement plan was a top-down approach while a strategic plan was a bottom-up approach.

**Senator Den Hartog** asked Chairman Lent to comment on the establishment of the State Commission for Education Excellence and whether it required staffing. She noted that no costs were reflected in the fiscal note. **Chairman Lent** said that office was already in place for approximately two years. He explained that meetings in that office typically took place virtually. The office highlighted successful school districts and shared this information with other districts.

**Senator Nichols** asked Chairman Lent to comment on the change in verbiage from achievement to outcome. She wanted to know the reason for the change and the effect of it. **Chairman Lent** said the word change aligned with a movement at the State Department of Education to be less prescriptive in governance and to focus on student outcomes. The idea was to teach correct principles, let people govern themselves, and to see what happened.

**TESTIMONY:**

**Fred Birnbaum**, CEO, Idaho Freedom Foundation, testified in opposition of **S 1356**. He took issue that the school board training was provided by the State Department of Education, the State Department's designee, or a provider authorized by the State Department. He pointed out that school board members were independent citizens, not Department of Education employees, and as such should not be subject to State Board directed trainings. He said that district boards were not truly independent if subjected to State training requirements. **Mr. Birnbaum** also expressed concern that the continuing improvement plan section was removed and replaced with strategic plan. The crossed out sections included student achievement and growth metrics. He remarked that the remaining verbiage about outcomes was too vague and that **S 1356** lacked accountability.

- DISCUSSION:** **Senator Ward-Engelking** pointed out that the training for board members described in **S 1356** could be provided by a designee or an authorized provider. She asked if Mr. Birnbaum read the bill the same way. **Mr. Birnbaum** replied that the State Board made the decision about the training or who was authorized to provide training thus control rested with it and not the school board. **Senator Ward-Engelking** commented on the language that was struck from **S 1356** regarding student performance metrics. She pointed out that this information was gathered by the State Department of Education for other purposes such as teacher evaluations and to target instruction.
- TESTIMONY:** **Dr. Phil Gore**, Chief Learning Officer, Idaho School Boards Association, shared his perspective that a balance between localized and centralized control in public education led to the best outcomes. He said he appreciated that **S 1356** tried to achieve that.
- MOTION:** **Senator Nichols** moved to table **S 1356** and requested a roll call vote. **Senator Forsmann** seconded the motion.
- DISCUSSION:** **Senator Nichols** voiced concern regarding the role of the State Department of Education and the lack of local control for school boards. She also took issue with the achievement to outcome changes and suggested a fresher approach could be helpful.
- Senator Den Hartog** commented that the continuous improvement plan legislation that was passed a few years ago did not make the impact that was envisioned. She added that some districts were using it appropriately, but for other districts it was a box-checking exercise. She continued that she viewed the shift to strategic plans as an improvement and also appreciated the focus on growth and outcomes for all students. She supported the prerogative of school boards to pick their own training. She said she saw similarities in the bill to the performance certificates effectively used by charter schools and that **S 1356** was a step in the right direction.
- SUBSTITUTE MOTION:** **Senator Ward-Engelking** made a substitute motion to send **S 1356** to the floor with a do pass recommendation. **Senator Den Hartog** seconded the substitute motion.
- DISCUSSION:** **Senator Ward-Engelking** said that she agreed with Senator Den Hartog that **S 1356** was very similar to what was in place in charter schools and worked very well for them. She said that good leadership was essential to student achievement. She expressed support for the bill.
- Senator Herndon** requested a roll call vote on the substitute motion. He said he did not support **S 1356** because it concentrated control of school board training in the State Department of Education. He said school boards should be treated as independent entities, free to choose their own training. He expressed general support for school board training and supported statutory requirements for specific training topics.
- Senator Lenney** spoke against **S 1356** because it failed to measure results and lacked accountability.
- SUBSTITUTE MOTION ROLL CALL VOTE:** **Senators Den Hartog, Ward-Engelking, Moser, and Chairman Lent** voted aye. **Senators Nichols, Forsmann, Herndon, Lenney, and Vice Chairman Toews** voted nay. The substitute motion failed.
- DISCUSSION:** **Chairman Lent** offered to send **S 1356** to the 14th Order of Business for amendment based on Senator Herndon's comments.
- Senator Den Hartog** asked for clarification on the original motion. **Senator Nichols** replied that the original motion was to table **S 1356**.

**ORIGINAL MOTION ROLL CALL VOTE:** **Senators Nichols, Forsmann, Herndon, Lenney, and Vice Chairman Toews** voted aye. **Senators Den Hartog, Ward-Engelking, Moser, and Chairman Lent** voted nay. The original motion carried.

**PRESENTATION:** **Advanced Placement Career Kickstart Pilot and Computer Science Courses in Idaho.** **Penny Kotterman**, Senior Director of Government Relations, provided an introduction to the Advanced Placement Career Kickstart Pilot and said it helped students and families to identify what future pathway was most beneficial (Attachment 3). She spoke about computer science, cybersecurity, and career preparation. **Ms. Kotterman** introduced Alexa Schlechter, Director of Career Kickstart Pilots, to share more. **Ms. Schlechter** presented about career exploration and providing options for students. She introduced the Career Kickstart Program which offered high school courses to create complete pathways to careers. She spoke about Career Technical Education (CTE) and high quality instruction which prepared students for post-secondary success. She highlighted in-demand fields such as cybersecurity.

**ADJOURN:** There being no further business at this time, **Vice Chairman Toews** adjourned the meeting at 4:15 p.m.

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Senator Lent  
Chair

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Lisa Stein  
Secretary