

MINUTES  
**SENATE EDUCATION COMMITTEE**

**DATE:** Tuesday, March 12, 2024

**TIME:** 2:00 P.M.

**PLACE:** Room WW55

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

**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 2:00 p.m.

**GUBERNATORIAL APPOINTMENT VOTE:** **Committee Vote on the Gubernatorial Appointment of Paul Amador to the Idaho Charter School Commission.**

**MOTION:** **Senator Ward-Engelking** moved to send the Gubernatorial Appointment of Paul Amador to the Idaho Charter School Commission to the floor with a **do pass** recommendation. **Senator Den Hartog** seconded the motion. The motion carried by **voice vote**.

**H 684** **BEHAVIORAL HEALTH - Adds to existing law to allow for telehealth behavioral health services on public school premises.** Representative Healy was absent. **H 684** was not heard.

**H 595** **EDUCATION - Amends existing law to provide for outcomes-based funding.** **Representative Petzke** stated that **H 595** created outcomes-based funding. It moved from an exclusively inputs-based funding model to one that included a component that paid schools based on student growth and achievement. He added that **H 595** also created a mandatory legislative review in the next few years after enough data was collected to review the results. **Representative Petzke** introduced Superintendent of Public Instruction, Debbie Critchfield, to share more.

**Superintendent Critchfield** explained that **H 595** modernized the funding formula and departed from the way schools had traditionally been funded. She said that **H 595** was subject to appropriation by the Legislature. The Department of Education identified areas of focus for the outcomes-based funding which included evidence-based math interventions in grades five through eight, and college and career readiness initiatives such as improved graduation rates and student participation in programs such as dual credit, workforce training, career technical education, and apprenticeships. She stated that outcomes-based funding used the business model of incentivization to achieve the desired outcomes.

## DISCUSSION:

**Senator Herndon** asked Superintendent Critchfield to explain the public schools funding model, how funding was currently distributed to public schools, and if any of the funding distribution was connected to performance or proficiency in math or literacy at this time. **Superintendent Critchfield** responded that funding was a complex formula that considered a variety of inputs. She said literacy funding was the closest program they had that was tied to performance, however, she clarified that it was not solely tied to outcomes.

**Senator Herndon** asked what percentage of the total General Fund spending for public schools was tied to student performance. **Superintendent Critchfield** replied that none of the existing budget was tied to performance.

**Representative Petzke** added that the Idaho Reading Indicator (IRI) program was structured similarly, but it was not based on the performance of districts. The funding formula used in **H 595** was different because it tied a portion of funding to performance.

**Chairman Lent** asked if testing was used to evaluate district performance. **Representative Petzke** answered that performance was evaluated but funding was not tied to performance. **Senator Ward-Engelking** commented that teachers used testing weekly to improve instruction and that teachers were accountable every day to their schools, parents, and students.

**Senator Semmelroth** asked for clarification on why graduation rates were tied to funding. **Superintendent Critchfield** explained that graduation rates were a very important metric for schools. **Superintendent Critchfield** shared that it was the expectation of the Department of Education (DOE) that students finish high school. The DOE wanted to bring attention and resources to the issue of graduation rates which were flat in recent years.

**Senator Semmelroth** expressed concern that since many students dropped out of school earlier than 12th grade, the use of 12th grade graduation rates did not provide an accurate picture. **Superintendent Critchfield** said that was why graduation rates were not the only factor in consideration. **Senator Semmelroth** asked how the credentialing data was tracked and centralized. **Superintendent Critchfield** said that they had the tools to track these metrics and it was currently done. The indicators in the legislation were chosen because they were quantifiable.

**Senator Carlson** asked for data from other states which implemented an outcomes-based funding model. **Superintendent Critchfield** listed a number of states which had implemented an outcomes-based funding model and the goals tied to them. She said she did not have specific data from other states to share but could provide the data later.

**Senator Herndon** asked about the impact to other schools if \$40 million was removed from the education budget and given to certain districts, but not to all districts. He asked if this shift of funds helped some districts and hurt others. **Superintendent Critchfield** responded that in her estimation a district was not hurt, but did not benefit to the same degree if achievement was not met. **Representative Petzke** added that every district received a piece of the pie, because every district had students who met achievement targets, but some districts received more because they had more students who did so. This structure was meant to provide the incentive for districts to focus on these metrics. **Senator Herndon** inquired how much visibility to the program was available in the next few years besides the feedback mechanism built into the bill. **Representative Petzke** reiterated the legislative review process built into the bill that provided for a full review by the committees in 2028. He added that prior to the full review, data was available and a matter of public record.

**Senator Nichols** asked how the math performance was evaluated and addressed in the funding model. **Representative Petzke** responded that 60% of the total funding formula was based on math scores in grades five through eight. Half was applied based on the percentage of students who were proficient and half was applied based on the percentage of students who achieved one year of growth, whether they were proficient or not.

**TESTIMONY:**

**Lance Hansen**, Lewiston School District; **Steve Thomas**, Idaho Forest Group; **Trent Van Leuven**; **Shawn Tiegs**, Moscow School District; **Terry Ryan**, Bluum Inc. and Idaho Charter School Network; **Lex Godfrey**, Career and Technical Educators of Idaho; **Becky Funk**; and **John Rehder**, Cottonwood School District, testified in favor of **H 595**. The common themes of their testimonies were an appreciation for the modernized, outcomes-based funding structure that incentivized progress and encouraged innovation. They supported the focus on middle school math and college and career readiness targets. They shared the philosophy that areas of focus realized results.

**MOTION:**

**Senator Ward-Engelking** moved to send **H 595** to the floor with a **do pass** recommendation. **Chairman Lent** seconded the motion.

**ROLL CALL VOTE:**

**Senators Ward-Engelking, Semmelroth, and Chairman Lent** voted aye. **Senators Den Hartog, Nichols, Carlson, Herndon, Lenney, and Vice Chairman Toews** voted nay. The motion failed.

**SUBSTITUTE MOTION:**

**Senator Lenney** moved to table **H 595**. The motion failed for lack of a second.

**Chairman Lent** said he would hold **H 595** in Committee at the call of the chair.

**S 1358**

**EDUCATION - Amends existing law to provide that certain qualified expenses for the Empowering Parents Grant program will be reimbursed, to establish provisions for reimbursements, and to provide that unused funds may be forfeited by a participant.** **Senator Den Hartog** explained that **S 1358** made changes to the Empowering Parents Micro-Grant Program consistent with the recommendations of the Empowering Parents Parent Advisory Panel. **Senator Den Hartog** requested that **S 1358** be sent to the 14th Order of Business for possible amendment. She outlined the changes which included the eligibility of internet service as a reimbursable expense. In addition, she suggested the removal of an inclusion to cover homeschool co-op fees. She explained it was also necessary to clarify the wording related to public school students who were recipients of the Empowering Parents micro-grants to clearly allow the use of those funds for activities like sports fees or club fees. She remarked that it was always the intent to cover these types of fees, but confusion in the bill language prevented access by public school students. A final change was to add a three-year time period for the funds to be used. If the funds were not used within three years, they returned to the program fund.

**TESTIMONY:**

**Holly Cook** testified in support of **S 1358**. She shared that she served on the Empowering Parents Advisory Panel. **Ms. Cook** approved of the proposed changes outlined by Senator Den Hartog.

Written testimony provided by **Dr. Victoria Young** in opposition of **S 1358** appears in Attachment 1.

**DISCUSSION:** **Senator Ward-Engelking** asked what an eligible student meant. **Ms. Cook** replied that an eligible student was any public or non-public school student under the age of 18 who attended school in Idaho and was eligible to receive the grant. **Senator Ward-Engelking** asked if the grant could be used for tuition. **Ms. Cook** said that there were currently no provisions to use micro-grants for tuition and that the majority of the Empowering Parents Parent Advisory Panel was not supportive of this use.

**TESTIMONY:** **Paul Stark**, Executive Director, Idaho Education Association (IEA), expressed concern about the intention to send **S 1358** to the 14th Order of Business. He asserted that the IEA preferred a clean bill. He stated that IEA members supported Empowering Parents under the assurances that the legislation would not be amended at some point to include tuition as an eligible expense. He stated that the IEA trusted that **S 1358** continued to align with the original purposes of the Empowering Parents Program with the original promises intact.

**DISCUSSION:** **Senator Ward-Engelking** asked about language found on Page 2, Lines 24-26 of **S 1358**. She pointed out that the language appeared to permit direct reimbursement for educational expenses. **Senator Den Hartog** replied that she was confident that the bill as drafted stated that internet expenses were the only expenses eligible for reimbursement. **Senator Ward-Engelking** expressed concern that the wording was broad and that the potential interpretations included reimbursements for educational expenses not currently permitted on the Empowering Parents Program platform. **Senator Den Hartog** stated that it was not her intent to add tuition as an eligible expense. She believed that the drafted bill was consistent with the intention that tuition was not covered.

**Senator Semmelroth** commented that she was concerned about an expansion of the Empowering Parents Program based on misinformation. She said that it was her observation that the public did not understand what the program did and the purpose of the program. She asked for Senator Den Hartog to reiterate the intent of the bill to allow or not allow private tuition and fees. **Senator Den Hartog** asserted that the bill did not cover private tuition and fees. She said that the fact that homeschool co-op fees were struck was an indication of the intent not to cover tuition. **Senator Semmelroth** suggested that due to misinformation in the public, it was prudent to add sideboards. She asked if Senator Den Hartog was open to an amendment that added clarification in the bill that said the Empowering Parents Program was not to be used for private school tuition and fees. **Senator Den Hartog** replied that based on the bill's structure and its implementation, she felt this addition was unnecessary.

**Senator Ward-Engelking** remarked that the bill and its referral to the 14th Order of Business made her nervous. She pointed out that Senator Den Hartog was on record with Idaho Education News with a statement of her support for the inclusion of private tuition as an allowable expense in the Empowering Parents Program. **Senator Den Hartog** replied that she was not sure where that statement came from and that it was possibly from a prior year. She shared that she answered a question regarding homeschool co-op fees and expressed the intention to amend **S 1358** to remove coverage for those fees.

**MOTION:** **Senator Herndon** moved to send **S 1358** to the 14th Order of Business for possible amendment. **Senator Lenney** seconded the motion. The motion carried by **voice vote**.

**ADJOURNED:** There being no further business at this time, **Chairman Lent** adjourned the meeting at 3:12 p.m.

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Senator Lent  
Chair

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Lisa Stein  
Secretary