

MINUTES
HOUSE EDUCATION COMMITTEE

DATE: Wednesday, February 03, 2016

TIME: 9:00 A.M.

PLACE: Room EW41

MEMBERS: Chairman DeMordaunt, Vice Chairman VanOrden, Representatives Shepherd, Wills, Boyle, Clow, Gestrin, Harris, Mendive, McDonald, Dixon, Kerby, Pence, Kloc, Rubel

**ABSENT/
EXCUSED:** None

GUESTS: Lee Posey, National Conference of State Legislatures; Tim Corder, Sherri Yburra, State Department of Education; Carlie Foster, Lobby Idaho

Chairman DeMordaunt called the meeting to order at 9:03 a.m.

MOTION: **Rep. Mendive** made a motion to approve the minutes of January 28, 2016. **Motion carried by voice vote.**

MOTION: **Rep. Clow** made a motion to approve the minutes of January 29, 2016. **Motion carried by voice vote.**

Lee Posey (National Conference of State Legislatures) gave a presentation on the Every Student Succeeds Act. She said the problems of NCLB included too much federal control, an AYP Metric and 100% proficiency to define a "highly qualified teacher," waivers required for states to opt out of the requirements, and the grants and waivers being tied to Common Standards and federal policies. Included in the ESSA bill are the involvement of state legislatures, prohibitions on secretarial federal authority, and a new approach for accountability. The intent of the law is flexibility for the states. It prohibits the secretary from setting standards for the states, but does not say how the states should set their standards. This is the correct time, she added, for states to think about what they want to do and what they want to change.

Ms. Posey added that the states must institute interventions for schools performing in the bottom five percent, and failing to graduate one-third or more of their students, but the interventions are not defined. There is flexibility in how to intervene. The ESSA provides new grants and increased Title I funding. Idaho is estimated to receive \$8 million in FY2017. The portability of federal funding following the student, however, did not make it in the bill. Title II changes benefit Idaho, as they are based on the percentage of children in poverty. Other programs allow states to use the federal funding to replicate successful charter schools. Ms. Posey said the Early Education Provision allows literacy grants to be used for early childhood education.

In response to questions from the committee, **Ms. Posey** said NCSL will make sure the states have information on providing feedback during the rule-making process, and it is starting with assessment. She added that the legislation is 1,000 pages long and could take years to implement. She encouraged the State Department of Education to reach out to NCSL and request information. Regarding the 95% testing rate, Ms. Posey said this is still an issue for Idaho. The states can protect parent rights and allow students to opt out of testing, but the state must still have a 95% participation rate to receive funding.

Superintendent Sherri Ybarra, State Department of Education, was asked to elaborate on the information in the presentation. She said the federal rule-making process is concerning, and the Department could use the legislature's support. The U.S. Department of Education has not interpreted the new provisions or accountability model, so she recommended Idaho not make large changes until the U.S. Department is more specific. In response to questions from the committee, Ms. Ybarra said the State Board of Education is working on an accountability model, but it is going slowly, so federal funding is not put in jeopardy.

Ms. Posey added that Idaho should be looking at programs it wants to change, but the process is ongoing, and Idaho can continue its current efforts. Idaho can look at places where it might want to use funding in different ways, because there is more flexibility in how funding can be used.

In response to questions from the committee, **Ms. Ybarra** said she sends out newsletters explaining changes, such as some of the early learning grants being moved to Health and Welfare. The newsletters she sends to the State Board of Education are more detailed than the Did You Know Newsletters she sends to legislators. She told the committee it could rely on her to convey information. The high school testing component is still being decided, and the State Department of Education is still having conversations with universities. The Department also meets with superintendents every two months. Not every district has a curriculum director or Title I Specialist, so superintendents are expected to know everything without training in these areas.

In response to questions from the committee, **Superintendent Ybarra** said parents are able to opt out of testing for their children. The school districts must submit a plan to the U.S. Dept. of Education explaining how they are being proactive about reaching the 95% participation rate in assessments, but the plans no longer have to have a punitive element. It is important to educate parents regarding the need to monitor students' progress, so resources can be used in areas which need the most improvement. States no longer need to require testing for high school graduation, and Title I Waivers from states no longer need to show a punishment element for schools not reaching a 95% participation rate. Ms. Ybarra added that her office sends a communications tool kit to superintendents, and Idaho did achieve the 95% participation rate. The testing time has been reduced by 30 minutes in each section of the test, and reports for parents are easier to read. The tests show where resources should go, and are tied to Title I Funding, so communication to parents and education is important.

ADJOURN: There being no further business to come before the committee, the meeting was adjourned at 10:06 a.m.

Representative DeMordaunt
Chair

Jenifer Cavaness-Williams
Secretary