

MINUTES  
**HOUSE EDUCATION COMMITTEE**

**DATE:** Friday, February 21, 2020

**TIME:** 9:00 A.M.

**PLACE:** Room EW41

**MEMBERS:** Chairman Clow, Vice Chairman Kerby, Representatives Shepherd, Boyle, Mendive, DeMordaunt, Moon, Ehardt, Goesling, Marshall, Raymond, Wisniewski, McCrostie, Abernathy, Berch

**ABSENT/  
EXCUSED:** Chairman Clow

**GUESTS:** Quinn Perry and Misty Swanson, ISBA; Heather Dennis and Michelle Dunstan, Anser Charter School; Blake Youde, Idaho Charter School Network; Zore Bachman; Jill Lemon; Brad Petersen, Future Public School; Nanette Lehman, Gem Prep Meridian School; Jeff Dillon, Wilder School District; Kristen McCarver, Bluum; Tracie Bent, OSBE; Clark Corbin, Idaho Ed News; Melissa Morales, ICDD

**Vice Chairman Kerby** called the meeting to order at 9:02 am.

**MOTION:** **Rep. Raymond** made a motion to approve the minutes of the February 13, 2020, February 14, 2020 and February 17, 2020 meetings. **Motion carried by voice vote.**

**H 512:** **Blake Youde**, representing the Idaho Charter School Network, presented **H 512**. Charter schools are required to accept all students, but certain charters have mission statements to serve specific, disadvantaged student groups. As these schools build on their success, they attract applicants who do not want or need to take advantage of these specific programs. The bill addresses this by allowing a weighted student lottery. Only five groups of students would be allowed to receive additional weight, at the discretion of the charter: students living in poverty, those who are homeless or in foster care, children with disabilities, English language learners and at-risk students. He noted not all charter schools would be required to use a lottery and when they do, existing state law provides the order of preference for admissions, with the lottery being last. Schools cannot use extreme weighting to create a ratio or quota.

In answer to Committee questions, **Mr. Youde** confirmed in order to use a weighted lottery, a school must amend its petition with its authorizer. The authorizer would have the final say on the exact weighting, but all guidance suggests a maximum weight of two or three.

**Heather Dennis**, Co-director, Anser Charter School, spoke **in support** of the bill. Anser is expanding next year and the driving reason is to have the school population more closely mirror the community population. She noted this is hard to do with the current lottery system. She disputed this was about schools receiving more money and said they want the opportunity to reach the students they are trying to serve.

**Brad Petersen**, Co-founder and Co-director, Future Public School, spoke **in support** of the bill. He stated this would help meet the goals of their charter petition and noted schools will not be required to use weighting. Future Public School, which serves a significant special education population in a STEM-rich environment, had 61% free and reduced lunch students their first year; this has already dipped to 51% in their second year as the schools' reputation has grown and more students seek to enroll.

**Nanette Lehman**, Principal, Gem Prep Meridian, spoke **in support**. She stated this bill would allow her school to weight at-risk and economically disadvantaged students, to support their mission of helping these students go-on to college. She noted a charter's first year is crucial in determining student demographics.

**MOTION:**

**Rep. DeMordaunt** made a motion to send **H 512** to the floor with a **DO PASS** recommendation. She said charter founders have long tried to reach these specific populations, but current code limits their ability to do so successfully.

**Rep. Berch** said he would **support** the motion, but noted these five student groups may receive special weighting, with additional funding, under a new funding formula. He expressed the need to make sure education funding is adequate for both traditional and charter schools.

**Rep. McCrostie** expressed concern this will pit charters against each other, between those who weight and those who do not.

**VOTE ON MOTION:**

**Motion carried by unanimous voice vote. Rep. DeMordaunt** will sponsor the bill on the floor.

**RS 27734:**

**Rep. Ehardt** presented **RS 27734**, which is an updated version of legislation from last year. She stated it is a parental rights bill, so parents must opt-in for their children to participate in instruction regarding human sexuality. The proposed legislation includes a definition of "sexuality" and clarifies the need to opt-in only applies to human sexuality. If sex education adheres to state statute and does not discuss sexuality, there is no need to opt-in.

**ORIGINAL MOTION:**

**Rep. DeMordaunt** made a motion to introduce **RS 27734**.

**SUBSTITUTE MOTION:**

**Rep. McCrostie** made a substitute motion to return **RS 27734** to the sponsor. He objected to certain language, stating it is inappropriate for inclusion in Idaho statute. **Motion failed by voice vote. Reps. McCrostie, Abernathy and Berch** requested to be recorded as voting **AYE**.

**VOTE ON ORIGINAL MOTION:**

**Motion carried by voice vote. Reps. McCrostie, Abernathy and Berch** requested to be recorded as voting **NAY**.

**H 501:**

**Quinn Perry**, Policy and Government Affairs Director, Idaho School Boards Association, presented **H 501**, which attempts to fix an unintended consequence of excision. Excision allows a group of petitioners to excise themselves from one school district and annex themselves into another, thus redrawing school district boundaries. Currently, only those in the area being excised can vote on this action. The bill requires people in both affected districts to vote on the excision; both groups must approve for the excision to take effect.

**Dr. Jeff Dillon**, Superintendent, Wilder School District, spoke **in support** of the bill and shared his district's experience with an excision attempt. If the excision had gone through, it would have allowed a minority of voters in the district to increase the taxes for the majority of the district.

**Ms. Perry** testified she did not think the bill would make it virtually impossible for an excision to occur.

**MOTION:**

**Rep. Raymond** made a motion to send **H 501** to the floor with a **DO PASS** recommendation. **Motion carried by unanimous voice vote. Rep. Chaney** will sponsor the bill on the floor.

**ADJOURN:** There being no further business to come before the Committee, the meeting adjourned at 9:58 am.

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Representative Kerby  
Chair

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Erica McGinnis  
Secretary