

AGENDA  
HOUSE EDUCATION COMMITTEE  
9:00 A.M.  
Room EW41  
Tuesday, January 11, 2011

SUBJECT	DESCRIPTION	PRESENTER
	Organizational meeting	

***If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman Bob Nonini  
Vice Chair Mack Shirley  
Rep Tom Trail  
Rep Sharon Block  
Rep Pete Nielsen  
Rep Marge Chadderdon  
Rep Paul Shepherd  
Rep Richard Wills  
Rep Jim Marriott  
Rep Steven Thayn  
Rep Stephen Hartgen  
Rep Linden Bateman  
Rep Judy Boyle  
Rep Reed DeMordaunt  
Rep Jeff Nasset  
Rep Donna Pence  
Rep Susan Chew  
Rep Brian Cronin

COMMITTEE SECRETARY

Amber Messa  
Room: EW49  
Phone: (208) 332-1148  
email: [amessa@house.idaho.gov](mailto:amessa@house.idaho.gov)

MINUTES  
**HOUSE EDUCATION COMMITTEE**

**DATE:** Tuesday, January 11, 2011

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

**PLACE:** Room EW41

**MEMBERS:** Chairman Nonini, Vice Chairman Shirley, Representative(s) Trail, Block, Nielsen, Chadderdon (Chadderdon), Shepherd, Wills, Marriott, Thayn, Hartgen, Bateman, Boyle, DeMordaunt, Nessel, Pence, Chew, Cronin

**ABSENT/  
EXCUSED:** None

**GUESTS:** Sherri Wood, Idaho Education Association (IEA); Harold Ott, Idaho Association of School Administrators (IASA); Phil Homer, IASA; Mark Browning, School Board of Education (SBOE); Luci Willits, State Department of Education; Dennis Stevenson, Administrative Rules Office; Robin Nettina, IEA; Ross Knight, Idaho State University; Bert Marley, IEA

Meeting was called to order at 9:06 a.m. by **Chairman Nonini** and silent roll was taken. Chairman Nonini reminded Committee that meetings are audio streamed and to use microphones.

Chairman Nonini introduced new members to the Committee (**Reps. DeMordaunt, Nessel, Bateman, and Cronin**). Chairman Nonini introduced **Julie Chadderdon**, who is filling in for her mother for the next few weeks until she is able to return. Chairman Nonini introduced the new Secretary Amber Messa and the new page Hannah Coad. Next, gallery members were introduced to the Committee

**Chairman Nonini** addressed the Committee Rules and informed members that **Rep. Marriott** will chair Subcommittee on Department of Education Rules. **Reps. Bateman, Cronin, and DeMordaunt** agreed to serve on committee. **Rep. Hartgen** will chair the Subcommittee on the State Board of Education Rules. **Reps. Nessel, Boyle, and Pence** will also serve on committee.

**Chairman Nonini** reminded Committee of Joint meeting tomorrow at 8:30 a.m. in the West Wing auditorium. **Superintendent of Education Tom Luna** will address the committees about his proposed budget and ideas for the year.

**Chairman Nonini** asked for volunteers to proofread committee minutes. The majority proofreader will be **Rep. Thayn** and the minority proofreader will be **Rep. Pence**

**ADJOURN:** As there was no further business to come before the joint committee, **Chairman Nonini** adjourned the meeting at 9:25 a.m.

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Representative Nonini  
Chair

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Amber Messa  
Secretary

JOINT  
HOUSE EDUCATION COMMITTEE  
AND  
SENATE EDUCATION COMMITTEE  
8:30 A.M.  
WW02 Senate Auditorium  
Wednesday, January 12, 2011

Senate Auditorium

SUBJECT	DESCRIPTION	PRESENTER
	<b>The Three Pillars of Student-Centered Education</b>	State Superintendent Tom Luna

***If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.***

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MINUTES  
JOINT MEETING  
**HOUSE EDUCATION COMMITTEE  
SENATE EDUCATION COMMITTEE**

**DATE:** Wednesday, January 12, 2011

**TIME:** 8:30 A.M.

**PLACE:** WW02

**SENATE MEMBERS:** Chairman Nonini, Vice Chairman Shirley, Representative(s) Trail, Block, Nielsen, Chadderdon (Chadderdon), Shepherd, Wills, Marriott, Thayn, Hartgen, Bateman, Boyle, DeMordaunt, Nessel, Pence, Chew, Cronin

**HOUSE MEMBERS:** Chairman Goedde, Vice Chairman Mortimer, Senators Andreason, Pearce, Fulcher, Winder, Toryanski, Malepeai, LeFavour

**ABSENT/  
EXCUSED:**

**GUESTS:** 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.

**MINUTES:** **Chairman Goedde** called the meeting to order at 8:30 AM and requested the secretary take a silent roll.

**Chairman Goedde** introduced **State Superintendent Tom Luna** for a presentation to the joint committees entitled "The Three Pillars of Customer-Driven Education." **Superintendent Luna** reiterated Governor Otter's remarks from the State-of-the-State address that now is the time to make comprehensive changes to the education system. In his presentation, he noted that student achievement in Idaho is on the rise; in 2007, 26% of Idaho schools made AYP (Adequate Yearly Progress) whereas in 2010, 62% of Idaho schools made AYP. The State was even highlighted in case study by the National Center on Innovation & Improvement, entitled *Transforming a Statewide System of Support: the Idaho Story*.

**Superintendent Luna** indicated such success is due to talented teachers, dedicated parents and hard-working students, as well as strategic investments in classrooms. There has been a \$40 million investment into the Idaho Reading Initiative over the last 10 years, which has resulted in 77% of 3rd graders being able to read at grade level in 2010. Three years ago, only 66% of 3rd graders were reading at grade level. The Idaho Math Initiative has seen similar results, and currently only 8 states in the U.S. are outperforming Idaho students in math. The State also invested \$20 million over the past four years on ISAT remediation, resulting in more students than ever reaching grade level or above on the state-wide assessment.

**Superintendent Luna** also broke down the financial responsibilities for the committee over the last two years, and informed the legislators that the State has cut or shifted \$200 million from the K-12 public schools budget over the past two years because of budget restraints. The result has been an increased demand on the school system, and it will take 10 years to get back to funding levels of FY2009 for K-12 education, essentially leaving the State with three options in regards to education: 1) Continue to cut funding in the current system; 2) Raise taxes on Idahoans to fund the current system; or 3) Change the system to educate more students at a higher level with limited resources. The third option is the recommendation of Governor Otter and Superintendent Luna, and can be broken into three pillars.

The first pillar is to provide a 21st Century Classroom for students; specifically, advances in technology that will allow students from rural parts of the State to take classes which may not otherwise be offered in their district through online learning. These online classes will ensure all students have access to highly effective teachers, necessary technology to assist their learning, and high academic standards, comparable with that in other parts of the world. College- and Career-Ready Standards for math, science and English will be implemented for students at all levels; advances in classroom technology, and expanded virtual learning will also be required of schools. Starting in the fall of 2012, all 9th graders will be required to take two online courses per year; by 2016, all high school students will take two online courses per year. Additionally, all 9th graders will receive a laptop—hardcover textbooks are becoming a thing of the past, and the laptops will allow students to utilize eBooks.

The second pillar is to ensure students have highly effective teachers and administrators in the physical building every year they are in school. Studies have shown that students with an average principal and average teacher who enter at the 50th percentile in their grade tend to leave at the 50th percentile. Students with ineffective teachers and principals who enter at the 50th percentile leave at the 3rd percentile, and students with highly effective teachers and principals who enter at the 50th percentile leave at the 96th percentile. To ensure that students have highly effective teachers and administrators the State Department of Education proposes restoring the Instructional Salary Grid to full funding, which would raise the annual minimum teacher salary to \$30,000, and implementing pay-for-performance plans for teachers and administrators.

The State will highlight focused and meaningful professional development and continuing education, give building principals the authority to select staff at the school level, allow local school boards additional flexibility in hiring district superintendents, and provide liability insurance options to teachers. New teachers will no longer be provided with tenure, as studies indicate this does not have a noticeable effect on the quality of teaching; rather, incoming teachers will be placed on a rolling contract after a probationary period. Seniority as a criteria for Reduction in Force (RIF) will be eliminated, and teacher and administrator performance evaluations will be tied, in part, to student growth.

The third pillar is transparent accountability, providing monitoring capabilities for parents, taxpayers, and policy makers. Parent input must now be considered in all teacher evaluations; school districts must post a Fiscal Report Card for every district, and district salary negotiations must be held in open public meetings. Masters agreements will also be made available for review online, and students will be allowed to take online courses with or without the permission of the school or district. Collective bargaining will not extend beyond the end of the State Fiscal Year, and it will be limited to salaries and benefits.

The State will also work with districts to ensure they are taking advantage of the Statewide Purchasing Contracts when available, and funding will now be required to follow students. The latter means that rather than two separate schools receiving funding for a student, fractional Average Daily Attendance (ADA) will be applied. Additionally, schools will no longer receive 99% protection. The State will also examine school district consolidation concerns—**Superintendent Luna** indicated the State can save as much as \$15 million statewide if county-wide district consolidation is adopted.

**Superintendent Luna** acknowledged that while there are tough decisions to be had

in this proposal, they can be made now for the betterment of students statewide. Included in these decisions is increasing the student-teacher ratio in grades 4-12 from approximately 18:1 to 19.5:1 over 5 years, from which the State will recognize a saving of \$62.8 million. These savings will allow for laptops and technological support for students, an increase in teacher training, and provide necessary funds for school maintenance and pay-for-performance measures. **Superintendent Luna** stated that while this may be difficult in the short-term, in the long term this is the only comprehensive plan that preserves—even increases—the quality of student education while maintaining a strict budget. He indicated that the State Department of Education would have bills in front of JFAC on the 18th, and the germane committees could expect to see them the first of next week, if not by the end of this week.

**Senator Fulcher** applauded the paradigm shift that is being proposed by the State Department of Education, then inquired if the Longitudinal Data System (LDS) is something that the State of Idaho is capable of doing. **Superintendent Luna** stated that Idaho is the last state in the nation to implement the LDS. Prior to accepting federal money, Governor Otter required that all districts were willing and able to comply with federal provisions. Districts are, and most have begun uploading data with no errors; all have uploaded with fewer than 10 errors. The Superintendent indicated that the LDS, which provides information to hold everyone accountable, is working, and working well.

Responding to questioning by **Senator Pearce**, **Superintendent Luna** informed the committee that professional development will be monitored to ensure that it is relevant and rigorous to current needs of teachers and classrooms. The LDS will provide more information to indicate what and where those needs are, which in turn will provide for a more focused distribution of money. Additionally, there is no real correlation between student/teacher ratios nation-wide; some schools have a higher student/teacher ratio and perform well, some have a low student/teacher ratio and perform well. Also, nothing which is being pursued is in violation of federal regulations; in many ways it is even within the vision of the current administration.

**Representative Thayne** inquired about measures of academic growth. **Superintendent Luna** stated that there are a number of measures at both the State and local levels, and, through the LDS, the State now has the ability to track student growth from year to year. He noted that Idaho is a lead state in developing next-generation assessments, from end of course assessments to formative assessments.

**Representative Nielsen** pointed out that the proposed plan of action by the State Department of Education appears to be enabling a lower level of government, and inquired if this was intentional. The Superintendent stated that both he and Governor Otter were very pointed in their development of this plan in response to voters.

**Senator LeFavour** asked for clarification on the student/teacher ratio, and how many teachers would be eliminated through the requirement of online classes for students. **Superintendent Luna** stated the student/teacher ratio would be increased from 18.2:1 to 19.5:1, and that there will be very few teachers eliminated through the requirement of online classes for students. Currently Idaho loses most of its teachers through attrition, and the reduction in force will be absorbed through that attrition—new teachers will not be hired to fill the positions of outgoing teachers. **Senator LeFavour** followed by asking what would protect teachers in small communities from negative backlash, to which **Superintendent Luna** replied teachers would retain all protection already afforded them. The difference is that the SDE is working to restore authority already granted by the State, but which has been

chipped away.

**Representative Shirley** asked the Superintendent how much the success or failure of the proposal depended on the involvement of the state-wide purchasing contract. **Superintendent Luna** informed Representative Shirley that there is no money saved at the state level if districts use the state-wide purchasing contract versus local vendors. However, the state-wide purchasing contract can be used as a negotiation tool with local vendors, so from that standpoint it is helpful. In response to questioning by **Representative Block**, **Superintendent Luna** noted that parental involvement is critical to the success of the program, and that choice in education engages parents further in their child's education.

**Representative Cronin** inquired about the involvement of higher-education teaching institutions within the State, and what kind of involvement they have had in the development of this program. He also expressed concern over the view that technology will get children to the necessary place professionally-speaking. **Superintendent Luna** stated that higher education institutions understand the value of technology in the classroom as many of these institutions offer online courses, and are excited that high school students are entering their institutions prepared to take these courses. As to Representative Cronin's concern, **Superintendent Luna** noted that the SDE is not coming close to meeting the demands of educators in terms of technology, so while there is emphasis on technology, there will be no replacing hands-on teaching.

Responding to questioning by **Representative Bateman**, **Superintendent Luna** noted that the state anticipates no problems recruiting quality teachers if these standards are implemented.

**Representative Trail** inquired about the input of private-sector stakeholders, and what kind of input there has been from teacher's organizations. **Superintendent Luna** stated there has been a very formal process for receiving input by the private sector, the general consensus by involved parties—including teachers organizations—is that there needs to be more done with education, not just more money applied towards programs.

Responding to questioning by **Senator Malepeai**, **Superintendent Luna** informed the committee there has been a position for "Parental Coordinator" created within the SDE to ensure that parents looking for access to information can find it; however, there is not a great explanation as to why so few parents are involved in the education of their children.

**Representative DeMordaunt** asked about the student/teacher ratio for online classrooms, and what portion of pay-for-performance is linked to student achievement? He also asked what cost-savings are envisioned through eBooks versus standard textbooks. **Superintendent Luna** stated that the student/teacher ratio for online classes is approximately 75:1; the student achievement ratio within pay-for-performance is tied approximately 75% to growth; and the State has not yet computed the amount of money saved when laptops are purchased versus standard textbooks—most of those savings will be recognized at the local level.

**Senator Winder** inquired how the state can have a two-year rolling contract, annually negotiated with fall adjustments for teachers, to which **Superintendent Luna** replied that it will be similar to what is worked with currently. Contracts signed by teachers are not part of master agreement; if districts have to make changes in the fall, there will be some severance money provided by the state for the teachers who are cut. Currently districts are funded even if students do not attend classes

there—under the new program this allows flexibility for districts to meet the needs of students (a savings of approximately \$6 million will be recognized, which will be used to purchase technology).

**Representative Hartgen** inquired if changing the “99%” rule would have a negative effect on small districts. **Superintendent Luna** noted that this is not limited to just small districts, and provided charter schools as an example. They do not have 99% protection, so the State can learn from charter schools regarding how they manage the change in funding. He acknowledged that cutting the funding is disruptive, but reiterated that the \$6 million saved can go a long way to assisting in technology purchases.

Responding to questioning from **Representative Pence** about the flexibility of funding when schools gain students, **Superintendent Luna** noted that under the current system schools get ADA for additional students. However, with the LDS, districts will be able to more accurately track student attendance in fractional components (daily, weekly, monthly, semesters), and adjust accordingly.

**Representative Chew** asked for clarification as to how teachers will be able to control what they make. **Superintendent Luna** stated that every year the state loses good teacher because of a lack of funding. Pay-for-performance particularly would afford teachers who excel in specific areas or teach in hard to fill areas the incentive to stay in their positions. He also noted that there is no shortage of teachers applying for positions in Idaho.

**Senator Andreason** commented that there are two different kinds of districts in the State. Students in rural districts see very little change in the makeup of their classrooms from Kindergarten through 12th grade whereas students in more urban environments may have many languages spoken in their classroom. He inquired how the State proposes to ensure the plan will work in the two different classroom situations. **Superintendent Luna** noted that every school has unique circumstances, and the State wants to ensure all students have the same high-quality education. He also pointed out that the most important factor in a student’s academic success is the teacher’s ability and success in the classroom. To help students who need it the most, the State needs to provide exceptional teachers and administrators.

**Chairman Goedde** noted that this is one of the most comprehensive educational reform plans he has seen across the nation, and it is critical the House and Senate get started reviewing Legislation. **Chairman Nonini** also indicated he wished for the Superintendent to make himself available for questions. The Superintendent agreed.

**Chairman Goedde** adjourned the meeting at 10:45 AM

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Representative Nonini  
Co-Chair

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Amber Messa  
Secretary

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Senator John Goedde  
Co-Chair

AGENDA  
HOUSE EDUCATION COMMITTEE  
8:15 A.M.  
Room EW41  
Monday, January 17, 2011

<b>SUBJECT</b>	<b>DESCRIPTION</b>	<b>PRESENTER</b>
<b>RS 20103</b>	Commemoration of Bonneville County	Rep. Bateman
	College Completion Agenda	Julie Bell, Ph.D.
	College Completion Initiatives	Office of the State Board of Education

***If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

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Vice Chair Shirley  
Rep Trail  
Rep Block  
Rep Nielsen  
Rep Chadderdon  
Rep Shepherd  
Rep Wills  
Rep Marriott  
Rep Thayn  
Rep Hartgen  
Rep Bateman  
Rep Boyle  
Rep DeMordaunt  
Rep Nessel  
Rep Pence  
Rep Chew  
Rep Cronin

COMMITTEE SECRETARY

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Phone: (208) 332-1148  
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MINUTES  
**HOUSE EDUCATION COMMITTEE**

**DATE:** Monday, January 17, 2011  
**TIME:** 8:15 A.M.  
**PLACE:** Room EW41  
**MEMBERS:** Chairman Nonini, Vice Chairman Shirley, Representative(s) Trail, Block, Nielsen, Chadderdon (Chadderdon), Shepherd, Wills, Marriott, Thayn, Hartgen, Bateman, Boyle, DeMordaunt, Nessel, Pence, Chew, Cronin  
**ABSENT/  
EXCUSED:** Representative(s) Nielsen, Thayn, Chew  
**GUESTS:** Julie Bell, Ph.D, National Conference of State Legislatures (NCSL); Michelle Exstrom, NCSL; Terry Whitney, NCSL; Senator Curt Bramble, Utah; Erik Makrush, Idaho Freedom Foundation; Mike Rush, State Board of Education (SBOE); Mark Browning, SBOE; Carolin Bennett Coad; Jessica Harrison, Idaho School Boards Association (ISBA); Christi, Ken Burgess, Idaho Charter School Network

**Chairman Nonini** called the meeting to order at 8:17 a.m. and silent roll was taken.

**RS 20103** **Rep. Bateman** presented **RS 20103**, proposed legislation to commemorate the founding of Bonneville County. He asked Committee to help Bonneville celebrate its 100th birthday and regaled Committee with a story of a local constituent who had met Buffalo Bill as he passed through various rural towns toward the end of his career.

**MOTION:** **Rep. Shepherd** moved to introduce **RS 20103**. **Motion carried on voice vote.**

**Chairman Nonini** introduced **Julie Bell, Ph.D**, from the National Conference of State Legislatures (NCSL), who in turn introduced **Terry Whitney, Michelle Exstrom** and **Senator Curt Bramble (Utah)** to the Committee.

**Julie Bell** introduced the "College Completion Agenda, State Policy Guide", which was an agenda specifically created for legislators based on various education issues that were being addressed both at the state and national levels. This agenda included several areas that are critical to an effective education system and in need of improvement. These areas were: 1). Ensuring preparedness among high school students by offering rigorous classes, dual credit courses and linking K-12 standards to those of higher education 2). Reduce the demand for remedial classes in college freshman 3). Provide high quality technological options for students, such as on-line courses and virtual classrooms 4). Give incentives for financial aid recipients to finish on time and make sure federal and state financial aid policies are in line 5). Addressing student loans and offering solutions to reduce and minimize debt accumulation 6). Prevent drop outs, encourage student persistence, especially between freshman and sophomore year in college and work to make the transfer of credits between institutions more fluid. 7). Provide flexible schedule options to students, such as night, weekend and on-line courses 8). Optimize institutional productivity in universities by implementing technological alternatives, increasing faculty workload, eliminating duplicate programming and switching to performance based funding.

**Chairman Nonini** thanked **Ms. Bell** and mentioned that much of her presentation was heard at a prior meeting with **James Applegate**, who spoke at a luncheon last week. A large part of his presentation included adult education. He mentioned that 20% of Idahoans have completed some college but have not earned a diploma and asked where this fits into the College Completion Agenda. Julie responded that the adult population plays an integral part, especially when schools are attempting to meet graduation and persistence goals. Currently other states have focused on targeted outreach to find adults with some credits, and send them letter reminding them of the number of credits they have, what they still need and encourage them to continue their education. On-line colleges have also done this successfully.

**Rep. Trail** asked what we can learn from the education systems abroad in order to maintain global competitiveness. **Ms. Bell** responded that there are a variety of strategies we can use, especially regarding K-12. One of the best strategies we have seen in other countries is a focused nation wide attention on education, which occurs when leadership actively promote education in their countries. She also mentioned studying how other countries view teachers, hire teachers, evaluate quality teaching, and what fields they focus on can offer insight to what practices work best. **Rep. Block** asked how the international standards are determined, as one of the recommendations is to align K-12 standards to a global standard. **Ms. Bell** responded that she was unsure of how the standards were determined but they were largely accepted as reasonable standards to expect from students in grades K through 12.

**Rep Cronin** – asked about strategies to change the culture of some districts where students do not consider college an option. He also asked about the controversy of performance based pay and whether it punishes schools and teachers when some students are unable to perform at the level required of them by set standards. **Ms. Bell** responded that the biggest way to change school culture is to hire effective principals. Studies have shown that teachers view school leadership as the most important factor in determining school climate, not funding. In regards to the controversy regarding pay for performance, **Ms. Bell** commented that institutions adjust according to what funding requires of them and schools can be encouraged to alter some goals based on providing incentives.

**Rep. Shirley** asked what is recommended to gain funding, as the general fund for college continues to decline while costs increase. **Ms. Bell** answered that because funding has been limited in the past few years, we have seen a change in relationship between state and higher education. States that give less money to their universities have less oversight. Some states are considering privatization, whereas, some feel that the state cannot renege its commitment to state colleges and universities due to importance of education. Regardless, students now contribute more to their education than state and we have put more on backs of students. **Rep. Shirley** followed up by asking how increasing the number of semesters in a year and using facilities better affects the research she is proposing. **Ms. Bell** answered that they have seen all the topics he mentioned and that some schools say they cannot make those adjustments without compromising quality. Others view that productivity and quality go hand in hand and they have seen states make such reforms successfully.

**Rep Hartgen** asked why she had not mentioned that the presence of competition among state institutions often make it more difficult to transfer credits **Ms. Bell** agreed that institutions must be willing to change before we have a more effective credit transfer system in place, but that we can set up incentives to encourage teamwork and institutional cooperation. **Rep Marriott** asked if the plan was to determine college ability in elementary school, as they do in other countries, and send those who are not performing at the desired level on a track to technical/trade schools. **Ms. Bell** responded that the standards are set throughout K-12 and hopefully by 12th grade everyone, regardless of what they decide to do upon graduation are at the same level.

**Rep. DeMordaunt** asked if U.S. colleges are considering doing a three year degree program instead of four and which of the recommendations are most important. **Ms. Bell** responded that some schools are considering 3 year degrees but could not list them of the top of her head and that although there is no “silver bullet” to improve the education system, reducing the number of students who need remedial classes in college and improving how remedial classes are taught are two very important factors. **Rep Trail** asked what is NCSL view of programs such as those abroad that allow for paid internships as part of the degree program. **Ms. Bell** agreed this and other innovative strategies should be used but it is often difficult to get institutions to break out of traditional teaching mode.

**Chairman Nonini** asked if there were any further questions from the Committee or guests. **Terry Whitney** added that the progress report Julie mentioned is ongoing, and will give states an annual measure of how they are doing and whether or not they are meeting program goals. Mr. Whitney informed Committee he was available to answer any further questions after the meeting adjourned.

**Chairman Nonini** introduced **Selena Grace**, chief Academic Officer for the State Board of Education. who discussed the College Completion Initiatives currently in place in Idaho, many of which coincide with **Ms. Bell's** presentation. The areas she discussed were Early Childhood, Improving Middle School and High School College and Career Counseling, Dropout Prevention, Standards and Alignment, Educator Quality, College Admission Process, Financial Aid and College Affordability, College Completion and Adult Education. Ms. Grace included Idaho statistics and measures currently in practice to improve each of these areas.

**Rep. Cronin** asked about the Parents as Teachers Initiative. Ms. Grace mentioned in her presentation but the bill to mandate this program was vetoed last year by **Governor Butch Otter**. **Chairman Nonini** asked if the state was planning to bring the program back. **Ms. Grace** replied that the State Board of Education had no formal stance but this was a program being monitored in the few areas it still exists.

**Rep Wills** asked who comprised the board that determines drop out rates. **Ms. Grace** did not have that information accessible but would send it to Rep Wills at a later time. **Vice Chairman Shirley** added that a printout of the presentation would be helpful. Ms. Grace agreed to email it to the Committee Secretary to distribute to those who wanted it.

**Rep. DeMordaunt** stated that many teachers complain of the abundance of standardized tests already, and if it was unnecessary to add an additional test to determine college readiness in students. **Ms. Grace** replied that the test she mentioned in her presentation was not an extra test but the establishment of national and international benchmarks at various levels so remediation isn't needed once students reach college.

**Rep. Pence** asked how many teachers took advantage of the Teacher Loan Forgiveness Program and if there were other areas that offered loan forgiveness besides teaching. **Matt Freeman** responded that there was a program for nursing students and they could get the exact numbers at a later date. Rep. Pence commented that adding similar programs for other majors would be beneficial.

**Rep. Hartgen** asked if private schools were included in these studies. **Ms. Grace** responded that they were but in a limited capacity due to the lack of accessibility of private school data.

**Chairman Nonini** asked if there were further questions then introduced Carolin Coad, who's daughter Hannah is the Committee page and recognized Hannah's excellent work thus far. Chairman Nonini reminded the Committee of the JFAC joint meeting tomorrow at 8:00 AM in the Senate Auditorium.

**ADJOURN:** There being no further business to come before the committee, the meeting was adjourned at 9:39 AM.

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Representative Nonini  
Chair

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Amber Messa  
Secretary

AGENDA  
**HOUSE EDUCATION COMMITTEE**  
**MARRIOTT SUBCOMMITTEE**  
H Education Marriott Subcommittee  
Upon adjournment of the Education Committee  
Room EW41  
Monday, January 17, 2011

<b>DOCKET NO.</b>	<b>DESCRIPTION</b>	<b>PRESENTER</b>
<b>08-0202-1003</b>	Rules Governing Uniformity	Department of Education
<b>08-0202-1004</b>	Rules Governing Uniformity	
<b>08-0203-1001</b>	Rules Governing Thoroughness	
<b>08-0203-1003</b>	Rules Governing Thoroughness	
<b>08-0203-1004</b>	Rules Governing Thoroughness	

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COMMITTEE MEMBERS

Chairman Jim Marriott  
Rep Linden Bateman  
Rep Brian Cronin  
Rep Reed DeMordaunt

COMMITTEE SECRETARY

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MINUTES  
**HOUSE EDUCATION COMMITTEE  
MARRIOTT SUBCOMMITTEE**

**DATE:** Monday, January 17, 2011  
**TIME:** 9:30 A.M.  
**PLACE:** Room EW41  
**MEMBERS:** Chairman Marriott, Representatives Cronin, DeMordaunt, Bateman  
**ABSENT/  
EXCUSED:** None  
**GUESTS:** Christina Linder, Idaho State Department of Education (SDE); Sherrie Wood, Idaho Education Association; Peter Morrill, Idaho Public Television; Christine Avila, SDE; Luci Willits, SDE; Liz Smith, SDE; Val Fenske, SDE; Jimmy Takata, SDE; Scott Cook, SDE; George Dashiell

**Chairman Marriott** called meeting to order at 9:48 AM. Chairman Marriott introduced Luci Willits, to the Committee

**Docket No. 08-0202-1003** **Luci Willits**, Chief of Staff, Communications and Government Affairs, SDE presented **Docket No. 08-0202-1003**, which included a specific requirements for public and private drivers education teachers, proposal to require subject endorsement for all new K-8 teachers, and an improved articulation of the standards and requirements of art teachers, clarification of needed internship for endorsement, creation of endorsement for teaching online classes..

**Rep. DeMordaunt** asked if we currently require endorsements for grades K-8, **Ms. Willits** turned floor over to **Christina Linder**, who responded that K-8 teachers were not required until No Child Left Behind, which then required teachers to get endorsements. This has led to frustrations from school principals because they have great teachers but are unable to use them. This rule would require that they get endorsements to teach 5-9th grade. There has also been discussion on if there should be a special middle school endorsement. We are 1 of only 3 states that does not have middle school endorsement, and this is under consideration due to the need to teach very specific subject matter and the unique pedagogy needed to fully understand development in middle schoolers. DeMordaunt asked about competency tests and why the 20 credits needed did not include the subject area of the endorsement. Ms. Linder explained the 20 credits is in addition to the credits they take in their specified area. This helps especially in rural areas where a Biology teacher, for example, may be needed to teach another subject. With the extra 20 credits they would have enough knowledge to teach another area if needed.

**Rep. Cronin** asked how much changing the standard will cost for teachers who need recertification **Ms. Linder** replied that these changes were for pre-service teachers only and the SDE works with Idaho colleges and universities to ensure the needed classes are being taught. Therefore, the only costs incurred would be perhaps in changing classes or moving classes around at the college level. Rep Cronin asked for further clarification of the new endorsement for online teachers. Ms. Linder explained that at this point, the online endorsement is optional and teachers would get it for marketability. It was also explained that although a teacher may have the content knowledge to teach a course, teaching to an online classroom requires a unique set of skills and therefore additional training is desirable. Also, this is in the pilot phases and may be adjusted in the years to come, to decrease number of credits needed to teach online or as needed.

**MOTION:** **Rep. Bateman** moved to **recommend approval** by the full committee of **Docket No. 08-0202-1003** ,**motion carried on voice vote.**

**Docket No. 08-0202-1004** **Luci Willits**, Chief of Staff, Communications and Government Affairs, SDE presented **Docket No. 08-0202-1004**, which proposes to eliminate duplicate spending in Mathematical Thinking Instruction. Ms. Willits explained that the state was currently paying double for the courses, materials, etc, then paying for the course again in order to have the class transcribed so it counts. By changing this the state will save \$700,000.

**MOTION:** **Rep. Bateman** moved to **recommend approval** by the full committee of **Docket No. 08-0202-1004** **motion carried on voice vote.**

**Docket No. 08-0203-1001** **Luci Willits**, Chief of Staff, Communications and Government Affairs, SDE presented **Docket No. 08-0203-1001**, which sets out Annual Measurable Achievement Objectives to provide accountability for meeting teaching standards. Currently Idaho has a goal of 90% graduation, if a school does not achieve this they must improve by 2% each year. This Docket also includes new rules for homebound students and those that miss the standardized testing window and also mentions restructuring to change a “new” school’s Adequate Yearly Progress (AYP) Definitions. **Rep. Cronin** asked if there would be “breathing room” for schools under restructuring to meet new standards. Ms Willits replied that there is.

**MOTION:** **Rep. DeMordaunt** moved to **recommend approval** by the full committee of **Docket No. 08-0203-1001** **motion carried on voice vote.**

**Ms. Willits** began presenting over process of setting common core state standards, she emphasized that this was state led and had no connection to the federal government. **Rep. Bateman** moved to postpone presentation of **Docket No. 08-0203-1003** and **Docket No. 08-0203-1004** until a later date. **Motion carried on voice vote**

**ADJOURN:** As there was no further business to come before the Subcommittee, the meeting was adjourned at 10:53 a.m.

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Representative Jim Marriott  
Chair

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Amber Messa  
Secretary

JOINT  
HOUSE EDUCATION COMMITTEE  
AND  
SENATE EDUCATION COMMITTEE  
8:00 A.M.  
WW02 (Senate Auditorium)  
Tuesday, January 18, 2011

SUBJECT	DESCRIPTION	PRESENTER
<b>8:00 AM — 8:30 AM</b>	Public Schools Budget Documents	Paul Headlee, Principal Budget and Policy Analyst
<b>8:30 AM — 9:15 AM</b>	State Dept of Education (including Statewide Longitudinal Data)	Tom Luna, Superintendent of Public Instruction
<b>9:15 AM — 9:30 AM</b>	<b>BREAK</b>	
<b>9:30 AM — 11:00 AM</b>	Public Schools FY 2012 Budget Request	Tom Luna, Superintendent of Public Instruction

***If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman Nonini  
Vice Chair Shirley  
Rep Trail  
Rep Block  
Rep Nielsen  
Rep Chadderdon  
Rep Shepherd  
Rep Wills  
Rep Marriott  
Rep Thayn  
Rep Hartgen  
Rep Bateman  
Rep Boyle  
Rep DeMordaunt  
Rep Nessel  
Rep Pence  
Rep Chew

COMMITTEE SECRETARY

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MINUTES  
JOINT MEETING  
**HOUSE EDUCATION COMMITTEE  
SENATE EDUCATION COMMITTEE  
JOINT FINANCE AND APPROPRIATIONS COMMITTEE**

**DATE:** Tuesday, January 18, 2011

**TIME:** 8:00 A.M.

**PLACE:** WW02 (Senate Auditorium)

**MEMBERS:** Chairman Nonini, Vice Chairman Shirley, Representative(s) Trail, Block, Nielsen, Chadderdon (Chadderdon), Shepherd, Wills, Marriott, Thayn, Hartgen, Bateman, Boyle, DeMordaunt, Nessel, Pence, Chew, Cronin

Chairman Goedde, Vice Chairman Mortimer, Senators Andreason, Pearce, Fulcher, Winder, Toryanski, Malepeai, LeFavour

Chairman Cameron, Vice Chairman Keough, Senators Broadsword, Bair, Brackett, Mortimer, Toryanski, Heider, Bilyeu, LeFavor, Chairman Bell, Vice Chairman Bolz, Representative(s) Eskridge, Wood, Patrick, Hagedorn, Thompson, Vander Woude, Ringo, Jaquet

**ABSENT/  
EXCUSED:** Representative(s) Chadderdon (Chadderdon), Shepherd

**GUESTS:** See Attached

Meeting was called to order by **Chairman Cameron** at 8:02 am.

**Paul Headlee**, Principal Budget & Policy Analyst for the Legislative Services Office explained the proposed overall state education budget and discussed the legislative actions taken by JFAC. He explained that these actions have been taken due to the current economic situation and gave examples of what would happen if these actions were not taken. **Sen. Keough** asked if this budget proposal was submitted in the fall or has been updated to include the recent proposed education reforms.

Mr. Headlee replied that this was from the fall.

**Chairman Cameron** introduced **Tom Luna**, Idaho Superintendent of Public Instruction. Supt. Luna began by informing the Committees of various programs that have been implemented to save money and cut the budget. He mentioned federal grant programs, such as NASA and Charter School grants, that have been used to alleviate costs from the state budget.

**Supt. Luna** is requesting a 2% reduction to his department. He is seeking \$250,000 in dedicated funds for end-of-course assessments for students and \$15,000 in operating expenditures transferring from the State Board of Education (SBE) to the State Department of Education for the GIANT program. \$650,000 will be moved from federal funds for operating personnel, \$60,000 will be moved to operating funds from the Millennium Fund for survey regarding drug/alcohol use among high school students. Supt. Luna is also requesting \$969,000 for FY2012 for an ongoing longitudinal data system known as the Idaho System for Educational Excellence (ISEE). The ISEE will allow educators and policy makers to make accurate and informed decisions by giving instant access to student records for teachers, professionals, and parents.

**Rep. Jaquet** indicated she has a few districts using MilePost, and inquired if this integrates with ISEE. **Supt. Luna** indicated that if they are SIF compliant they will be able to integrate. **Rep. Jaquet** wanted to know if this system could be expanded to follow graduation rates, college completion, and post-secondary information. **Supt. Luna** replied that it would. **Rep. Bell** asked if the budget for all ISEE personnel have been transferred from public schools to the Department of Education. **Supt. Luna** replied that they had. **Sen. Goedde** asked if SchoolNet was part of the ISEE. **Supt. Luna** replied that it was in the budget and his presentation will include funds to improve the SchoolNet side, which tracks student achievement and data each year and allows teachers to create individual learning plans accordingly.

**Rep. Nonini** asked if the \$969,000 for the ISEE would be on-going funding. **Supt. Luna** stated yes, and that it would grow to \$1.8 million as outlined in 2009. He informed the committees that the state came in on-time and under-budget for the launch of the program. **Rep. Nonini** asked if there would need to be a contract with a vendor for this system. **Supt. Luna** stated that there would be contracting done, but the state would have the latitude to decide if it is in the best interest of the state to sign multi-year contracts or single-year contracts.

**Rep. Ringo** asked if the end-of-course assessments will replace the ISATs and where the \$250,000 to fund them comes from: **Supt. Luna** replied that it is the State Board of Education's goal to replace the science ISAT, because an end-of-course assessment will better measure student knowledge versus a broad exam that covers many areas. The \$250,000 was found while making cuts within the Department of Education, and in federal funds. **Supt. Luna** is asking the committee to spend these funds for end-of-course assessments, not requesting an additional \$250,000. **Sen. Pearce** indicated his concern if whether all this funding is necessary to develop the assessments. **Supt. Luna** stated this money will be used to develop the initial six end-of-course assessments and that Idaho is fortunate enough to be part of a group of states that will be developing the additional assessments. **Sen. Pearce** asked for a timeline regarding the assessments. **Supt. Luna** stated the six original assessments will be available Fall 2012 and the new generation of assessments will be available in three years.

**Sen. Mortimer** asked if the ISEE was created in state. **Supt. Luna** responded that the Idaho Department of Education did write a part of the program but will need to look at a private vendor when we add other programs to the ISEE. **Sen. Bilyeu** asked **Supt. Luna** to elaborate on the next generation of assessments and give the number of states that are involved. **Supt. Luna** stated he will send a list of all the states working on this. **Supt. Luna** stated that we currently have assessments of learning at the end of year but the goal was to have less intrusive assessments during the school year so teachers can make adjustments midyear, instead of at the end of year. **Sen. Bilyeu** asked if this would lead to an increase in the number of tests students are given each year. **Supt. Luna** replied that the assessments will not be the traditional ones we are used to, such as quizzes and exams, but will be less intrusive, such as using clickers to monitor class progress during a lesson.

**Supt. Luna** introduced **Brian Darcy**, Administrator of the Idaho Educational Services for the Deaf (IESDB) and the Blind. Mr. Darcy then gave an overview of the unique services of IESDB. These services included statewide outreach, that provides home based services to Idahoans under the age of three, free evaluations and help for its clients in transitioning from school to work. These services have seen an increase of 20% students in 4 years. Mr. Darcy also discussed the IESDB's Media Library Services, which enlarges print and translates literature into Braille for students all over state, free of charge to school districts, students and families. The final component discussed was the IESDB Campus, a residential and day school in Magic Valley, serving preschool-high school students. The school teaches needed skills, gives its students the opportunity to participate in scholastic and athletic programs, while following school standards set by the state. Mr. Darcy continued by informing the Committees that the IESDB has striven for efficiency during these difficult times and has implemented a four day school week, lower cost energy practices and has consolidated some of its regions. Mr. Darcy is requesting \$7,740,000 for its normal costs, plus vehicle replacement costs and a new interpreter.

**Chairman Cameron** asked **Supt. Luna** to begin his presentation due to time constraints.

**Supt. Luna** acknowledged the great work **Mr. Darcy** does for some of Idaho's most needy students. He then stated that lack of funding has led the education system in Idaho to a crossroads where the only choices are to raise taxes to support a broken system, or change the system itself. He described the Three Pillars of his reform: a 21st Century Classroom, Great Teachers and Leaders, and Transparent Accountability, and described his requests for funding, gave specifics of what funding would be used for, and outlined fiscal year budgets until FY 2017. (complete testimony attached)

**Supt. Luna** then addressed class size, as it is a hot topic that leads some to feel that increased size will decrease student achievement. He continued that Idaho has a mobility rate of 30% and that great teachers know how to handle one or two more students. Research shows that great teachers, no matter the class size, are the greatest factor in student's academic success. He stated that this reform will reduce secondary staffing by 770 positions over two years but most will be covered through attrition and beginning in FY2014, the lost positions will begin to be refilled because of growth in student enrollment. The net loss of positions is estimated at 320 in total. Supt. Luna stated that Idaho could save another \$11 million by consolidating districts in the seven counties with the most districts. Supt. Luna then passed out a proposed budget chart and explained how the chart shows information in numeric terms through FY 2017. He explained that the chart shows that we can educate more students with limited resources and without increasing taxes.

**Chairman Cameron** asked **Supt. Luna** to submit a revised budget with new reforms in lieu of the proposed budget from the fall. Supt. Luna agreed to do so. Chairman Cameron requested that Supt. Luna keep budgetary bills in JFAC and policy bills in the Joint Education Committees and asked the Committee to focus questions on topics relating to budget, not policy.

**Sen. Goedde** asked if **Supt. Luna** knew of the physical capacity to increase class size and recommend he consult with the Fire Marshall in order to confirm the ratio increase was plausible. **Rep. Nonini** asked Supt. Luna to give the worst case scenario that could occur in increasing student ratio. Supt. Luna stated that those decisions are made on a local level, based on how many teachers they hire and what classes they want them to teach. **Rep. Nonini** asked for clarification of what teachers do if they are relieved of teaching duties but still work for the school district. Supt. Luna explained that they may become subject specialists and train other teachers.

**Sen. Keough** asked how the state will balance expenditures of dual credit and college entrance exams when roughly 70% of college aged students do not attend college. **Supt. Luna** stated that funding for dual credit is based on the estimation that 2% of students that will have completed all their required credits by their junior year and that hopefully this plan will help students to realize their capabilities and that they are college material, as well as give a baseline for how schools are preparing students for college. **Sen. LeFavour** asked if schools will still use support staff after losing 770 positions and increasing ratios. Supt. Luna stated that there would not be any changes made to support staff. **Sen. LeFavour** asked if the number of teachers will increase with population growth. Supt. Luna replied that after two years, the number of teachers will increase and after two years, the student ratio will remain the same.

**Rep. Ringo** asked if **Supt. Luna** had taken into account that there would be no change in faculty in rural areas where the class size stays the same. Supt. Luna replied that it was factored in. **Rep. Ringo** inquired if recognizing National Board Certification was part of the Pay for Performance plan. Supt. Luna agreed that National Board certified teachers should be rewarded accordingly. **Rep. Hagedorn** inquired if **Supt. Luna** would be able to make adjustments and prioritize parts of this plan, if only 95% of the budget was approved, and if a Students' First Program would be possible. **Rep. Hagedorn** reiterated that 95% was a hypothetical number. Supt. Luna stated that his presentation today was simply to show the Committee a different way to spend the money we currently have, and that he firmly believes what is necessary under the current financial situation. He doesn't feel there is one thing in this plan that is unnecessary, and this is a way to fund it all without raising taxes.

**Rep. Trail** asked if there were any potential cost-savings with year-round schools and noted the lack of addressing the high payoff of preschool education. **Supt. Luna** told the Committee year-round schooling is allowed at the district level and it is seen at the elementary level in some districts. Supt. Luna indicated that with new technology, students would have the ability to take courses year round. Supt. Luna also mentioned that districts have discretionary federal funding they can spend on preschool education if they like, but many districts are spending it elsewhere. **Rep. Cronin** asked if \$800,000 was sufficient for teacher training. Supt. Luna replied that 20% of the \$53 million will go toward professional development, which is the average percentage spent on teacher training across the country.

**Rep. Jaquet** voiced concern over removing the 99% protection rule, and how the figure of \$6 million was reached. **Supt. Luna** replied that in the past, \$6 million might not have made much difference, but in tough economic times and when talking about putting students first, it is a lot of money. Supt. Luna commented that charter schools have never had the benefit of the 99% protection rule, so we know it can be done. **Sen. Goedde** asked how Idaho Digital Learning Academy (IDLA) efficiencies pertain to school districts that are double dipping. Supt. Luna stated that with ADA the money follows the student, and gave the example that if a student were taking five traditional classes and one online class (six classes in total), 2/3 of the 1/6 in funding would stay with school district, only the remaining funds would go to the IDLA. **Sen. Bair** noted that on the financial table it appeared the state would be \$68.5 million short, and asked how that will be made up. Supt. Luna explained that the line in question showed cumulative figures, not year-end totals.

**Sen. Toryanski** asked if it is known how many students are double funded each year and asked if **Supt. Luna** knew what the student ratio was in the 1970s, when there began a push to decrease class size in order to improve achievement. Supt. Luna stated that he could get the data relating to ratio in the 1970s and the number of double funded students would be available within a few weeks, thanks to the ISEE. **Rep. Bolz** asked if the number of teachers accounts for the change in administrators and classified staff. Supt. Luna replied that when one teacher is funded a percentage of administrators and classified staff are funded as well. **Rep. Vander Woude** asked if there are restrictions set by postsecondary institutions that don't allow dual credits and if those will be changed along with this reform. Supt. Luna admitted that there are still some challenges but commended several university presidents who have knocked down barriers and agreed to lower tuition cost for dual credit students, noting Boise State University, Idaho State University and the College of Southern Idaho in particular. Supt. Luna also stated that the Idaho Education Network will expand dual credit to every high school in the state and they will continue working with colleges and universities across the state.

**Sen. Pearce** commented that in some town hall meetings there has been disagreement regarding the laptop program. **Supt. Luna** agreed that there would need to be protective measures taken but that giving students access to computers outside of the classroom will help student achievement. **Sen. Malepeai** asked about school technology upgrades and asked what is included in those funds. Supt. Luna stated that in FY2012, \$6,000 would be spent in each classroom to upgrade technology. In subsequent years the money will go toward maintaining wireless capacity and in calendar year 2016 the money will level out to use for the maintenance of hardware, training and support of the investment made in previous years. **Sen. Keough** asked about the long term financial commitment for updating technology and repairing laptops. Supt. Luna stated that in FY2016 the number is consistent, to purchase new 9th graders laptops and maintain the old ones, with the intention that students can keep the laptop when they graduate. **Sen. Keough** remarked that since the school district in her district split, both districts are now seeing levy's passing consistently where they were arguing constantly. She asked for a list of the 7 least efficient counties. **Rep. Nieslen** commented that dual credit students pay far less than college students and asked if there will be wireless in rural areas so students can take dual credits. Supt. Luna replied that the Idaho Education Network is connecting all schools with Broadband. Supt. Luna agreed that is far cheaper to take dual credit courses, about \$65 per class and we need to give students this opportunity.

**Rep. Ringo** asked if other countries are lowering or increasing their investments in education. **Supt. Luna** commented that Korea made the decision to increase class ratio considerably to improve achievement, and that countries that are outperforming the U.S. have larger class sizes and spend less money. Rep. Ringo encouraged the Committee to be careful on generalizations on class size, since smaller classes could make a difference when a large number of students need extra attention. Supt. Luna stated that this is why class sizes will be determined at the local level. **Sen. Bilyeu** asked if students will be allowed to take laptops home. Supt. Luna stated that it will be determined at the local level. The state will give guidelines but districts can determine what they would like to do. Sen Bilyeu commented that some students won't have wifi capabilities at home. Supt. Luna stated that the laptops would have information and possibly textbooks downloaded so they could still do homework regardless of internet connectivity.

**Chairman Cameron** asked **Supt. Luna** for clarification on how a decrease of 770 teachers and 300 classified employees and administrators will help the economy. Supt. Luna reported that through attrition most of these positions can be absorbed in the next two years and asked what the alternative is. Supt. Luna reiterated that if we don't change the system we will have to raise taxes, because we cannot cut the system anymore. Chairman Cameron thanked the chairmen, committees and guest speakers.

**ADJOURN:** There being no further business to come before the committee, the meeting was adjourned at 11:12 am.

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Senator Cameron  
Chair

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Amber Messa  
Secretary

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Senator John Goedde  
Chair

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Representative Nonini  
Chair

AGENDA  
**HOUSE EDUCATION COMMITTEE**  
**HARTGEN SUBCOMMITTEE**  
Hartgen Subcommittee  
8:00 A.M.  
Room EW20  
Wednesday, January 19, 2011

<b>DOCKET NO.</b>	<b>DESCRIPTION</b>	<b>PRESENTER</b>
<b>08-0111-1001</b>	Registration of Postsecondary Educational Institutions and Proprietary Schools	Tracie Bent, State Board of Education
<b>08-202-1002</b>	Rules Governing Uniformity	
<b>08-0203-1002</b>	Rules Governing Thoroughness	
<b>30-0101-1101</b>	Rules Governing the Use of Commission Services	Ann Joslin, Idaho Commission for Libraries

***If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman Stephen Hartgen  
Rep Donna Pence  
Rep Jeff Nasset  
Rep Judy Boyle

COMMITTEE SECRETARY

Amber Messa  
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MINUTES  
**HOUSE EDUCATION COMMITTEE**  
**HARTGEN SUBCOMMITTEE**  
Hartgen Subcommittee

**DATE:** Wednesday, January 19, 2011  
**TIME:** 8:00 A.M.  
**PLACE:** Room EW20  
**MEMBERS:** Chairman Hartgen, Representatives Pence, Nessel, Boyle  
**ABSENT/  
EXCUSED:** None  
**GUESTS:** Harv Lyter, State Board of Education; Ed Hawley, Administrative Rules; Allison McClintock, Office of State Board of Education; Ann Joslin, Idaho Commission for Libraries; Karen Echeverria, Idaho School Boards Association; Tracie Bent, State Board of Education

**Chairman Hartgen** called the meeting to order at 8:00 am and silent roll was taken.

**DOCKET NO. 08-0111-1001** **Tracie Bent**, State Board of Education, presented **Docket No. 08-0111-1001**, regarding registration of post-secondary educational institutions and proprietary schools, and said these changes provide a general language clean-up. Ms. Bent detailed the verbiage changes as detailed by this rule. Other changes eliminate the requirement for a new application should a post-secondary educational institution or proprietary school wish to add courses during the registration period, changing the requirement to a notification of the additional courses. Additionally, it will be required that all advertising material for proprietary schools must accurately represent the purpose of the school.

**MOTION:** **Rep. Boyle** moved to recommend approval of **Docket No. 08-0111-1001** by the full committee. **Motion carried on voice vote.**

**DOCKET NO. 08-0202-1002** **Tracie Bent**, State Board of Education, presented **Docket No. 08-0202-1002** regarding rules governing uniformity. Ms. Bent said the current technology requirements will be moved to a more logical location within the rule and will add requirements for the Idaho Comprehensive Literacy assessment, bringing the rule into alignment with the statute.

**MOTION:** **Rep. Nessel** moved to recommend approval of **Docket No. 08-0202-1002** by the full committee. **Motion carried on voice vote.**

**DOCKET NO. 08-0203-1002** **Tracie Bent**, State Board of Education, presented **Docket No. 08-0203-1002** regarding rules governing thoroughness. The changes to this rule will require school districts to notify all students who fail the 10th grade ISAT of the availability of an alternate route to graduation.

**MOTION:** **Rep. Pence** moved to recommend approval of **Docket No. 08-0203-1002** by the full committee. **Motion carried on voice vote.**

**DOCKET NO. 30-0101-1101** **Ann Joslin**, Idaho Commission for Libraries, presented **Docket No. 30-0101-1101** and stated this is a temporary rule to allow for the increase in circulation of materials to eligible blind and physically handicapped persons who are registered with the Idaho Talking Book Service. Ms. Joslin said the temporary rule changes clarify the Talking Book Service circulation and loan processes and procedures, and provide a method for changes and updates by the Idaho Board of Library Commissioners.

**MOTION:** **Rep. Pence** moved to recommend approval of **Docket No. 30-0101-1101** by the full committee. **Motion carried on voice vote.**

**ADJOURN:** There being no further business before the committee, **Chairman Hartgen** adjourned the meeting at 8:36 am.

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Representative Stephen Hartgen  
Chair

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Sheila Doherty  
Secretary

AGENDA  
HOUSE EDUCATION COMMITTEE  
MARRIOTT SUBCOMMITTEE  
Marriott Subcommittee  
8:00 A.M.  
Room EW41  
Wednesday, January 19, 2011

<b>DOCKET NO.</b>	<b>DESCRIPTION</b>	<b>PRESENTER</b>
<b>08-0203-1003</b>	Rules Governing Thoroughness	Luci Willits, Department of Education
<b>08-0203-1004</b>	Rules Governing Thoroughness	

***If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman Jim Marriott  
Rep Reed DeMordaunt  
Rep Brian Cronin  
Rep Linden Bateman

COMMITTEE SECRETARY

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MINUTES  
**HOUSE EDUCATION COMMITTEE**  
**MARRIOTT SUBCOMMITTEE**  
Marriott Subcommittee

**DATE:** Wednesday, January 19, 2011  
**TIME:** 8:00 A.M.  
**PLACE:** Room EW41  
**MEMBERS:** Chairman Marriott, Representatives Cronin, DeMordaunt, Bateman  
**ABSENT/  
EXCUSED:** None  
**GUESTS:** Jessica Harrison, Idaho School Boards Association (ISBA); Sherri Wood, Idaho Education Association (IEA), Robin Nettinga, IEA; Brad Hunt, Office of Administrative Rules; Phil Homer, Idaho Association of School Administrators (IASA); Val Fenske, State Department of Education (SDE); Matt Malek, Risch Pisca PLLC; Scott Cook (SDE); Christina Avila (SDE); Jimmy Takata (SDE); Liz Smith (SDE); Heather Love (SDE); Mark Browning, State Board of Education; Luci Willits (SDE)

Meeting was called to order at 8:25 a.m. by **Chairman Marriott** and silent roll was taken. Chairman Marriott introduced **Luci Willits** of the State Department of Education, who asked permission from the Committee to reverse the presentation order of Dockets, due to the brevity of the last Docket. Chairman Marriott allowed it.

**Docket No. 08-0203-1004** **Ms. Willits** presented **Docket No. 08-0203-1004**, which deals with graduation requirements and would reversing a prior order to add science as an exit exam. **Ms. Willits** explained that there are currently three ISAT tests given and testing at the end of the year in science has proved to be inapplicable in many cases because the differing sequences of science classes throughout districts. are causing some students to be tested on unfamiliar content, and the SDE believes a better use of funds would be to reallocate them toward funding the new proposed end of course assessments. **Rep. DeMordaunt** asked if the removal of the science test will cost money. **Ms. Willits** will save money, as they will not have to pay for testing windows for an additional exit exam.

**Rep. Cronin** asked if the other three ISATs will still be necessary once end of course assessments are implemented statewide. **Ms. Willits** explained that ISATs are currently required under the federal guidelines of "No Child Left Behind" and that although the Federal Congress is looking to reinstate "No Child Left Behind", the ultimate goal will be to have end of year of assessments replace ISATs as the exit exam for graduation requirements. **Rep. Cronin** asked how implementing new assessments that are not required for graduation, meaning the proposed end of year assessments, will save the state money. **Ms. Willits** replied that it is necessary for Federal accountability and that there is a responsibility to ensure that students have several opportunities to test, especially if it is required for graduation.

**Ms. Willits** further presented that this Docket would require that school districts inform of their children's ISAT scores within three weeks of receiving them. **Chairman Marriott** asked how this information would be disseminated and **Ms. Willits** replied that decision would be made at the local level. **Rep. Cronin** lauded this idea and asked what the timeline is for implementation and if there were any concerns from school districts in having the window shortened to three weeks. **Ms. Willits** stated that they have not received any negative feedback and can send the timeline information at a later time. info to you **Ms. Willits** continued her presentation with a proposal regarding a pilot program that awards scholarships to students who graduate early, including specific guidelines for how the program will function, further clarification regarding the percentage of participating schools (on-line, brick and mortar, charter, etc). **Rep. DeMordaunt** asked for clarification regarding the number of hours required of students. **Ms. Willits** explained this was used as a guide to distribute scholarships and measure if students have enough credits to graduate.

**MOTION:** **Rep. DeMordaunt** moved to recommend that **Docket No. 08-0203-1004** be approved by the full committee, **Motion carried on voice vote.**

**Docket No. 08-0203-1003** **Ms. Willits** presented **Docket No. 08-0203-1003**, which proposes the implementation of Common Core Standards (CCS). CCS have been introduced by 40 states, with the purpose being to align K-12 standards with college and workforce expectations and increase rigor in curriculum. Ms. Willits showed that currently there were some areas with strong matches between current standards and the CCS, with much of the weak matches falling in grades K through 3. Ms. Willits emphasized that this was a state led proposal, and although the CCS would give a guideline for teacher curriculum, power on how to teach material would still remain at the local level. In order to implement this plan, current federally funded conferences would be used to train teachers, along with outreach efforts for rural and remote schools unable to attend trainings.

**Chairman Marriott** asked **Ms. Willits** to point out the section of the rule that would authorize adoption of the CCS, which she did. **Rep. Bateman** commented that he firmly believes education should be a state decision and he will support this plan because it has been state led. **Rep. DeMordaunt** commented that the presentation of an example of the CCS relieved some previous concerns, but that not encroaching on classrooms must remain an important factor if this plan were implemented. Rep. DeMordaunt recommended collaboration with the Idaho Education Network to maximize cost efficiency.

**Rep. Cronin** agreed that higher standards are needed, as well as the ability to compare to other states, but is concerned that all states will have to continually adjust under new changes and asked how the state plans to fund the continuation of this program if it is implemented. **Ms. Willits** stated that annual conferences, such as Title I Conferences, will be used, along with state funded conferences that see a large attendance each year. The state has also created a core of teachers and leaders who will disseminate the CCS, and offer unprecedented help, such as teaching classes while teachers attend trainings. She concluded that the CCS would not require entirely new materials, only supplemental materials in the areas that were weak matches. Ms. Willits introduced **Christina Avila**, the Idaho Math Coordinator, explained how the CCS would introduce topics much earlier, making subjects in high school easier to understand.. Ms. Willits concluded with a proposed change of technology standards that has not received any negative feedback.

**Chairman Marriott** asked if there was anyone who would like to give testimony. **Sherri Wood** from the Idaho Education Association testified the support of the CCS, but only if adequate funding accompanied the new standards. **Rep. DeMordaunt** asked how the CCS would be different from what teachers are doing now, if it would be a difficult transition and who absorbed most of the costs. **Ms. Wood** replied that the changes were not extreme from the current standards, since many areas are already well aligned. She stated that when changes were implemented in the early 1990s, teachers were given the new guidelines without instruction on how to use them. She commented that it took many in-service and training days for professional development but it was accomplished, with the school district providing the majority of funds.

**MOTION:** **Rep. Bateman** moved to recommend that **Docket No. 08-0203-1003** be approved by the full committee. **Motion carried on voice vote.**

**ADJOURN:** As there was no further business to come before the subcommittee, **Chairman Marriott** adjourned the meeting at 9:20 a.m.

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Representative Jim Marriott  
Chair

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Amber Messa  
Secretary

AGENDA  
HOUSE EDUCATION COMMITTEE  
9:00 A.M.  
Room EW41  
Wednesday, January 19, 2011

<b>SUBJECT</b>	<b>DESCRIPTION</b>	<b>PRESENTER</b>
<a href="#"><u>RS20011</u></a>	Education, Public Records	Mark Browning, State Board of Education
<a href="#"><u>RS20008</u></a>	University of Idaho, Fees	

***If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman Nonini  
Vice Chair Shirley  
Rep Trail  
Rep Block  
Rep Nielsen  
Rep Chadderdon  
Rep Shepherd  
Rep Wills  
Rep Marriott  
Rep Thayn  
Rep Hartgen  
Rep Bateman  
Rep Boyle  
Rep DeMordaunt  
Rep Nessel  
Rep Pence  
Rep Chew  
Rep Cronin

COMMITTEE SECRETARY

Amber Messa  
Room: EW49  
Phone: (208) 332-1148  
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MINUTES  
**HOUSE EDUCATION COMMITTEE**

**DATE:** Wednesday, January 19, 2011  
**TIME:** 9:00 A.M.  
**PLACE:** Room EW41  
**MEMBERS:** Chairman Nonini, Vice Chairman Shirley, Representative(s) Trail, Block, Nielsen, Shepherd, Wills, Marriott, Hartgen, Bateman, Boyle, DeMordaunt, Nessel, Pence, Cronin  
**ABSENT/  
EXCUSED:** Representative(s) Chadderdon (Chadderdon), Thayn, Chew

**GUESTS:** Phil Homer, Idaho Association of School Administrators (IASA); Matt Malek, Risch Pisca DLLC; Ross Knight, Associated Students of Idaho State University (ASISU); Mark Browning, State Board of Education (SBOE); Erik Makrush, Idaho Freedom Foundation; Heather Lakemacher, American Council of Trustees and Alumni (ACTA); Robin Nettinga, Idaho Education Association (IEA); Sherri Wood, IEA; Luci Willits, State Department of Education; Joe Black, University of Idaho

Meeting was called to order at 9:25 a.m. by **Chairman Nonini** and silent roll was taken. Chairman Nonini informed **Rep. Marriott** that his subcommittee received a set of rules regarding the Endowment Fund, and a time to hear those presented would need to be scheduled.

**MOTION:** **Rep. Pence** moved to approve the minutes of January 11, **motion carried on voice vote.**

**RS20011:** **Mark Browning**, Chief Communications & Legislative Affairs Officer for the State Board of Education, proposed legislation that would remove duplication of record keeping for negotiated agreement of teachers' representation unit, both the district and the State are currently required to keep copies of agreements.

**MOTION:** **Rep. Wills** moved to introduce **RS20011. Motion carried on voice vote.**

**RS20008:** **Marty Peterson**, Special Assistant to the President, University of Idaho, proposed legislation in response to voter approval of **SJR 101** in the 2010 general election to allow the University of Idaho to charge tuition fees. Currently, the University can charge fees but not tuition, therefore student fees cannot go to pay faculty and other areas of core support. **Rep. Nielsen** clarified a comment Mr Peterson made about the legislation being unanimously approved last session by the Committee. The Committee has unanimously approved to send this issue before the general public to vote, even though they may not necessarily agree with the proposed legislation.

**MOTION:** **Rep. Trail** moved to introduce **RS20008. Motion carried on voice vote.**

**Chairman Nonini** thanked the presenters and Committee for their time and reminded Committee of the Joint Committee with JFAC tomorrow at 8:00 am. He also encouraged Committee members to attend Friday's public testimony of **Supt. Luna's** proposed education reform since there will be no Committee meeting.

**ADJOURN:** There being no further business to come before the Committee, the meeting was adjourned at 9:50 a.m.

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Representative Nonini  
Chair

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Amber Messa  
Secretary

**JOINT  
 HOUSE EDUCATION COMMITTEE  
 AND  
 SENATE EDUCATION COMMITTEE**  
**8:00 A.M.**  
**WW02 Senate Auditorium**  
**Thursday, January 20, 2011**

**With the Joint Finance and Appropriations Committee**

<b>SUBJECT</b>	<b>DESCRIPTION</b>	<b>PRESENTER</b>
<b>8:00 am — 8:15 am</b>	Higher Education Budget Requests	Paul Headlee, Principal Budget & Policy Analyst
<b>8:15 am — 9:30 am</b>	State Board of Education; Current & Future Vision for Higher Education in Idaho	Richard Westerberg, President, State Board of Education
<b>9:30 am — 9:45 am</b>	<b>Break</b>	
<b>9:45 am — 10:30am</b>	Office of the State Board of Education FY 2012 Budget Request (Including the Higher Education Longitudinal Data System)	Dr. Mike Rush, Executive Director, Office of the State Board of Education

***If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman Nonini  
 Vice Chair Shirley  
 Rep Trail  
 Rep Block  
 Rep Nielsen  
 Rep Chadderdon  
 Rep Shepherd  
 Rep Wills  
 Rep Marriott

Rep Thayn  
 Rep Hartgen  
 Rep Bateman  
 Rep Boyle  
 Rep DeMordaunt  
 Rep Nasset  
 Rep Pence  
 Rep Chew  
 Rep Cronin

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MINUTES  
JOINT MEETING  
**HOUSE EDUCATION COMMITTEE  
SENATE EDUCATION COMMITTEE**

**DATE:** Thursday, January 20, 2011

**TIME:** 8:00 A.M.

**PLACE:** WW02 (Auditorium)

**MEMBERS PRESENT:** Chairman Goedde, Vice Chairman Mortimer, Senators Andreason, Fulcher, Winder, Toryanski, Malepeai, and LeFavour

Chairman Nonini, Vice Chairman Shirley, Representative(s) Trail, Block, Nielsen, Chadderdon(Chadderdon), Shepherd, Wills, Marriott, Thayn, Hartgen, Bateman, Boyle, DeMordaunt, Nessel, Pence, Chew, and Cronin

Chairman Cameron, Vice Chairman Keough, Senator(s) Broadsword, Bair, Brackett, Mortimer, Toryanski, Heider, Bilyeu, LeFavour; Chairman Bell, Vice Chairman Bolz, Representative(s) Eskridge, Wood, Patrick, Hagedorn, Thompson, Vander Woude, Ringo, and Jaquet

**ABSENT/ EXCUSED:** Senator Pearce, Representatives Chadderdon (Chadderdon), and Shepherd

**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.

**MINUTES:** The meeting was held jointly with the members of JFAC and the House Education Committee. **Chairman Bell** of the Joint Finance Committee presided over the meeting.

**Chairman Bell** called the meeting to order at 8:00 AM

**Paul Headlee** approached the committee to provide an overview of the higher education, how to utilize the Legislative Budget Book (LBB), and the proposed budget.

Page 1-38 of the Budget Book starts with the Office of the State Board of Education (OSBE); there are 10 budgeted entities (referred to as "divisions" in the LBB) under the OSBE. The last two columns on the page are the FY2012 request and the Governor's Recommendation. The SBE request is \$663,671,400 the Governor's recommendation is \$592,425,300. Metrics on full-time enrollment; head-count enrollment; resident student fee increases over time; and both appropriated and non-appropriated operating budgets are found in appendix 510(c).

**Richard Westerberg**, President of the OSBE, presented the OSBE budget.

**Mr. Westerberg** stated the OSBE is responsible for education, from kindergarten through college. The goal adopted by the OSBE is that 60% of Idahoans between the ages of 25 and 34 should have a post-secondary completion certificate by 2020; it has been predicted that 61% of careers in Idaho will require some kind of post-secondary degree. Idaho has approximately 1.5 million people, of which 31.4% are between 25 and 34, and have a post secondary degree. This is an estimated 67,213 Idahoans. The challenge is to double that by 2020. **Mr. Westerberg** noted it is not reasonable to expect this goal to be met under current student funding.

Dual credit is a way to alleviate current funding issues. For high-school students, the average cost per credit is \$65 versus \$247.50. This helps students by ensuring academic confidence, and it helps institutions as well—students are more likely to attend the college from where they have gained them. Idaho has also joined the Complete College America campaign, which capitalizes on best-practice. Additionally, Idaho participates in GEAR UP and the College Access Challenge Grant.

The State has the IRI—Idaho Reading Initiative—and the Math Initiative. The OSBE's renewed emphasis is not just limited to focusing on students pursuing post-secondary degrees; it has also started focusing on the Tech Transfer Policy, and how programs are delivered. Additionally, the number of hours required for graduation has been reduced from 128 to 120.

The staff is currently working on an outcome based budget proposal. Outcome based budgeting allows personnel to excel in specific areas.

Each college and university president will present in greater depth; but doing more with less is not just a mantra any more. Higher education has experienced 22% reduction from FY2009; the Board has implemented policies allowing presidents more flexibility to deal with financial challenges. Restructuring has also been pursued.

Local school districts receive State appropriations, property tax funds, and other taxing moneys. More and more districts are raising supplemental levies. Pay-for-play numbers are going up as well. Higher education's revenue sources includes state appropriations—there has been a reduction in appropriations by 22%% in the last 3 fiscal years. This, despite the fact that enrollment numbers are at a record high. Government and industry training contracts and research grants have increased. Long-term the State of Idaho cannot continue to raise tuition and fees the way it has. Although the tuition and fees are comparably less than other states, Idaho is also a lower-income state, and students are less able to pay. There is always going to be a cost/quality ratio for education.

As a result of major funding cutbacks, all of the institutions have made significant program changes including elimination and reduction. University of Idaho has seen 41 degree programs eliminated or folded into existing programs, and Idaho State University has seen significant restructuring. Universities state-wide are pushing to increase the enrollment in their summer sessions.

Some of the questions that have to be asked when distributing funds and looking at how they are used are, is the institution at risk for non-compliance with state law, rule or federal law and regulations because of a lack of resources? Idaho took American Recovery and Reinvestment Act (ARRA) money; as a result the state is now on the hook for complying with requirements that go along with these funds. The same goes for the Perkins Funds accepted for Professional-Technical Schools—there are requirements attached to these funds, and they have to be met for the state to be in compliance.

Regarding the Public Charter School Commission, the OSBE provides oversight evaluation for charter schools within the state. The board provides staff and operating expenditure; 77% of the school enrollment growth from 08/09 to 09/10 was seen in charter schools. Current staff-support is unsustainable at 1.5 FTE for the entire board, versus 1 FTE per 5.3 Schools.

Regarding institutional bonding, bond ratings come from Moody's Investors Service

and Standard & Poor's. BSU's CBE building received an A1 rating from Moody's, and an A+ rating from Standard and Poor's. University of Idaho's Kibbie Dome Life Safety Improvements received identical ratings. There is an 8% debt service ceiling.

**Mr. Westerberg** stood for questions.

**Representative Hagedorn** noted he has seen at least five private higher-education institutions created in the State. He wondered if the degree process in State institutions is meeting market demand, and if not, why? **Mr. Westerberg** stated he didn't have the numbers at hand, but that he doesn't feel Idaho's institutions has enough offerings to meet market demand.

**Representative Nonini** inquired about outcome-based-budgeting. He asked if **Mr. Westerberg** would expand on any discussions that have been had on this. **Mr. Westerberg** stated there has been extensive discussion; the model would be in the neighborhood of 3-5% of appropriations, based on key-performance indicators given to institutions. The OSBE is at least a year out on these.

**Representative Jaquet** asked if an identical program holds the same weight in one institution as another. **Mr. Westerberg** stated there is work to be done to ensure these credits that transfer over, but there is also a fair amount of institutional pride. There is still a fair amount of compartmentalization within institutions, where we should be working on evaluation of courses from each institution.

**Representative Trail** commented on increased community-related projects, and feels the board should be commended for its involvement. He asked **Mr. Westerberg** to expand on collaboration with institutions outside the State. **Mr. Westerberg** stated there are a number of collaborative efforts being pursued with institutions, high schools and businesses.

**Senator Malepaei** stated the Superintendent's three-pillar plan is a major new approach to how the education business is conducted in the State. He inquired about the extent of **Mr. Westerberg's** involvement in the development of this plan. **Mr. Westerberg** indicated the OSBE did not have much involvement in the plan. It was a collaborative effort between the SDE and the Governor's office, but it did not come before the Board as an item to be approved.

**Representative Shirley** noted that there is a small high school in his district that is interested in online-courses, but when they contact universities and institutions, there are not many courses offered online. He asked if our universities are in a position to actually deliver these courses given the pending requirements by the State Superintendent. **Mr. Westerberg** stated one of the options available is the IDLA, which will provide course content from other sources. One of the problems the State is facing is that universities are filling courses with their own, traditional students, leaving fewer spaces for dual enrollment students. He hopes that the performance-based outcome pay will help alleviate this issue.

**Representative Trail** commented that the courses delivered through IDLA may or may not be accepted by all universities whereas if the course is delivered by ISU, for example, it will be guaranteed to be accepted by that university. **Mr. Westerberg** noted that many of the IDLA courses are CWI courses, so they should be transferring. Representative Hartgen asked how universities are planning to integrate students from the Mastery Advancement Pilot Program (MAPP) into their institutions. **Mr. Westerberg** stated he doesn't know, but he would look into it.

**Representative Thompson** asked what it would take to convert Eastern Idaho

Technical College to a community college. **Mr. Westerberg** stated the first thing would be to get the community to agree to create a community college district, after which it would be pursued from there.

**Senator Bair** asked for an explanation of the process for distributing funds to each university. **Mr. Westerberg** stated this is an historical matter—there is a base distributed, and then the Board moves forward with further funding depending on institutional need. **Senator Bair** asked if it the SBE tracked within the Universities to ensure programs are funded properly. **Mr. Westerberg** stated there is some follow up on funds, but not specific.

**Representative Bolz** asked about unrestricted funds tracking. **Mr. Westerberg** noted this depends on how unrestricted funds are defined; however, funds deemed unrestricted are followed closely, and the SBE is very close to determining a requisite reserve. There will be a number set as a benchmark, and it will be monitored on both sides.

**Kenneth Edmonds** stated it really comes down to, are there monies available that have not been tapped. The OSBE will not be able to tap into these funds; they are encouraging the universities to increase these funds in the event that they are needed.

**Senator Cameron** stated it strikes him as odd that in times where budgets of universities are reduced significantly, reserve balances have increased. On one hand he applauds the efforts for best business practices; on the other hand however, it is concerning when they are trying to set budgets.

**Representative Cronin** wanted to know what the role of a general, broad-based education is, and are we doing enough to prepare students to be adaptable and have the basic general skills to retool their skillset. He also asked if we are keeping the needs of our entire workforce in mind. **Mr. Westerberg** noted that all institutions have groups they are consulting with to determine industry needs. The proof in the pudding is whether graduates can get jobs, and are they living wage jobs.

**Representative Jaquet** asked for a copy of placement rates from institutions and questioned if the board has been monitoring salary increases, reductions and furloughs. **Mr. Westerberg** noted the OSBE does have this but it is not as extensive as they would like; it has been monitoring salaries, reductions and furloughs. **Representative Jaquet** followed by asking where the merit increases are going. **Mr. Westerberg** stated the merit increases tend to be a retention-tool.

**Representative Hagedorn** asked if the OSBE has had the same kind of discussions to resolve fragmented issues such as universities not working together, or should we consider other alternatives, such as Wisconsin's chancellor system. **Mr. Westerberg** told the committee that the last year it has been putting benchmark tiers in place so universities can be adequately compared. That way the state will be able to know what kind of revamp will be needed for the higher education system.

**Mr. Westerberg** remarked in closing that he realizes the legislators are not in an easy position in this economy, and he appreciates their work.

**Dr. Mike Rush** approached to discuss the Office of the State Board of Education (OSBE).

The Board is charged with general supervision, governance and control of colleges and universities; public community colleges; and the public school system. Idaho's

structure is what many states are striving to be.

The Office of the State Board of Education serves as the administrative staff for the State Department of Education. Staff focuses on developing policy oriented agendas, strategic plans, and providing planning data.

The OSBE is requesting an increase in funding for administrative support for proprietary schools. The number of schools chartered by districts remains flat, whereas the number chartered by the commission has increased tremendously. This demands more staff support. The commission would need at least 6 administrative personnel to reach the national average. For the Charter School Commission Director, they would request \$117,400 for salary, benefits and technology).

The second position requested is to support a Technology Program Manager for the Longitudinal Data System. To meet the ARRA funding deadline the OSBE has reallocated funds to pay a staffer from BSU. The request is for 1 FTE and \$98,100 to pay a staffer. This money would be reallocated permanently. (LBB 1-60).

The next decision unit is for the renewal of the College Access Challenge Grant (CACG). The grant would provide \$1.4 million annually for the next 4 years. This year \$232,000 was set aside to provide dual-credits for students. The fourth decision unit is to transfer the funding for GIANTS in to the SDE from the OSBE (\$17,000). The OSBE is taking a hit of \$73,500—a reduction of 3.45%—in the FY 2010 Omnibus Reduction. **Dr. Rush** thanked the committee for the lump-sum budgeting from legislative session 2010. The OSBE staff is doing more with less—there are 20 staff serving 69,737 students; other states are averaging 40.8 staff for approximately 66,000 students.

Another area managed by the OSBE are Special Programs (LBB 1-81), which includes scholarships and grants. The Public Safety Officer grant provides scholarships for students of police officers and firefighters killed in Line of Duty—\$30,000 request this year. For GEAR UP scholarship requests the OSBE has revised its request to increase by \$20,000, from \$250,000.

The Governor's request for the Opportunity Scholarship is \$1,000,000—some of that money will be for existing scholarships.

**Representative Jaquet** asked about the charter school monitoring and accountability; she indicated it seems it would be more appropriate to move the commission to the Superintendent's office, and asked for additional information. **Dr. Rush** stated the Charter School Commission is established in state code, and is located in the OSBE as a result. The argument is that the Dept. of Ed. provides support for charter schools, however the commission is the oversight authority. The SDE holds the roll of the advocate, supporter, etc. and the argument he has heard is it is important to keep those separate.

Responding to questioning by **Representative Jaquet**, **Dr. Rush** stated that if we do not help students at a young age (kindergarten and primary), they will not likely succeed in college. First what needs to be developed is an attitude of confidence, etc. The OSBE is also starting active planning on the NearPeer program where you bring in students from colleges to encourage college participation with high school students. This is being funded with the CACG.

**Senator Cameron** asked if **Dr. Rush** would inform about maintenance of effort funding, particularly PTE. **Dr. Rush** stated it was his belief that the

Governor's recommendation would keep these funds level. When the audit hits in 3 years however, it will likely be discovered that the funding from last year was not maintained. At that time the Federal government will fine the State for non-compliance; they will decide the punishment then. **Senator Cameron** followed by asking about Five/Ten Funding, which was secured by Speaker Newcomb, and whether there is really discussion about changing the funding. **Dr. Rush** stated this funding is specifically targeted towards schools that collaborate in PTE; the Five/Ten funding was designed to enable those districts that share programs to fund a center. He is not specifically aware of any discussion to this nature, but he will ask.

**Representative Block** asked if the institutions and K-12 are working on aligning standards. **Dr. Rush** stated yes; also the State of Idaho has had a Tech Prep program that will assist high school students in easing into the transition in to college. The other thing that has been worked on at the secondary level is the development of the Common Core Standards. One of the conditions of the development of these standards is that students who complete courses under these standards will be college ready.

**Dr. Rush** noted that the OSBE has had a performance-driven funding formula for technical colleges for the last 15 years; there is a formula that drives funding but it is something we don't always think about. The Board does have experience with this, and we need to recognize that.

Having no further questions from the committee, **Chairman Bell** adjourned the meeting at 9:50 a.m.

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Representative Maxine Bell  
Chairman

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Representative Bob Nonini  
Co-Chair

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Senator John Goedde  
Co-Chair

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Sara Pealy  
Secretary

AGENDA  
**HOUSE EDUCATION COMMITTEE**  
 9:00 A.M.  
 Room EW41  
 Monday, January 24, 2011

SUBJECT	DESCRIPTION	PRESENTER
<a href="#"><u>RS20033C2</u></a>	Post-secondary/proprietary schools	Mark Browning, Office of State Board of Education
<a href="#"><u>RS20052</u></a>	Peace Corps Act	Rep. Trail
<b>Docket No.</b>	<b>Report from Hartgen Subcommittee</b>	
08-0111-1001	Registration of Postsecondary Educational Institutions and Proprietary Schools	
08-0202-1002	Rules Governing Uniformity	
08-0203-1002	Rules Governing Thoroughness	
30-0101-1101	Rules Governing the Use of Commission Services	

***If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman Nonini  
 Vice Chair Shirley  
 Rep Trail  
 Rep Block  
 Rep Nielsen  
 Rep Chadderdon  
 Rep Shepherd  
 Rep Wills  
 Rep Marriott  
 Rep Thayn  
 Rep Hartgen  
 Rep Bateman  
 Rep Boyle  
 Rep DeMordaunt  
 Rep Nessel  
 Rep Pence  
 Rep Chew  
 Rep Cronin

COMMITTEE SECRETARY

Amber Messa  
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 Phone: (208) 332-1148  
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MINUTES  
**HOUSE EDUCATION COMMITTEE**

**DATE:** Monday, January 24, 2011  
**TIME:** 9:00 A.M.  
**PLACE:** Room EW41  
**MEMBERS:** Chairman Nonini, Vice Chairman Shirley, Representative(s) Trail, Block, Nielsen, Chadderdon (Chadderdon), Shepherd, Wills, Marriott, Thayn, Hartgen, Bateman, Boyle, DeMordaunt, Nessel, Pence, Chew, Cronin  
**ABSENT/  
EXCUSED:** None  
**GUESTS:** Kris Ellis, Benton Elementary; Michele Wilson, Stevens-Henager Collegem (SHC); Erik Makrush, Idaho Freedom Foundation; Mark Browning, State Board of Education (SBOE); Tracie Bent, SBOE; Dustin Hurst, Idaho Reports; Benjamin Davenport, Risch Pisca LLC; Phil Homer, Idaho Association of School Administrators; Bert Marley, Idaho Education Associate (IEA); Harold Ott, Idaho Rural Schools Association; Shane Reeder, SHC; Karen Echeverria, Idaho School Boards Association; Emily Anderson, Governor's Office

Meeting called to order at 9:01 a.m. by **Chairman Nonini**. Silent roll was taken.

**Rep. Hartgen** gave the Committee an overview of the Rules presented in his Subcommittee last week and recommend they all be approved by the Full Committee. In answering Committee questions, **Tracie Bent** from the State Board of Education, spoke about transfer credits from private schools to public schools, focusing on Boise State University (BSU). Ms. Bent stated that BSU currently accepts transfer credits from nationally accredited schools, but some classes are not considered to be on the same level as freshman and/or remedial courses at BSU. **Rep. Nielsen** asked if private schools are required to advise their students on which classes will transfer to other institutions. Ms. Bents informed the Committee that the SBOE does not have authority to set guidelines on how private schools advise their students.

**Chairman Nonini** asked **Rep. Hartgen** how much testimony had been heard during his Subcommittee meeting last week. Rep. Hartgen stated there had been moderate attendance and only **Ms. Bent** testified.

**Docket No. 08-0111-1001:** **Rep. Hartgen** recommended that the Committee approve **Docket No. 08-0111-1001**, regarding registration of post-secondary educational institutions and proprietary schools.

**MOTION:** **Rep. Wills** moved to approve **Docket No. 08-0111-1001**. **Motion carried on voice vote.**

**Docket No. 08-0202-1002:** **Rep. Hartgen** recommended that the Committee approve **Docket No. 08-0202-1002**, which moves technology requirements within rule and adds requirements for the Idaho Comprehensive Literacy assessment.

**MOTION:** Rep. Wills moved to approve **Docket No. 08-0202-1002**. Motion carried on voice vote.

**Docket No. 08-0203-1002:** Rep. Hartgen recommended that the Committee approve **Docket No. 08-0203-1002** which requires school districts to notify all students who fail the 10th grade ISAT of the availability of an alternate route to graduation.

**MOTION:** Rep. Wills moved to approve **Docket No. 08-0203-1002**. Motion carried on voice vote.

**Docket No. 30-0101-1101:** Rep. Hartgen recommended that the Committee approve **Docket No. 30-0101-1101**, which allows for the increase in circulation of materials to eligible blind and physically handicapped persons who are registered with the Idaho Talking Book Service.

**MOTION:** Rep. Wills moved to approve **Docket No. 30-0101-1101**. Motion carried on voice vote.

**RS 20033C2:** Mark Browning, with the State Board of Education, presented **RS 20033C2**, which clarifies language and exempts certain classes from registration fees, such as weekend seminars, pilot classes and startup schools. Rep. Cronin asked who would fund these efforts over time, to which Mr. Browning responded that the state has been known for its lax practices when it comes to proprietary colleges, and they are trying to provide more oversight and accountability, and that in the future, these efforts will be paid for by proprietary schools, not the state.

**MOTION:** Rep. Marriott moved to introduce **RS 20033C2**. Motion carried on voice vote.

**RS 20052:** Rep. Trail introduced **RS 20052**, which would proclaim March 1st the Idaho Returned Peace Corps Volunteer Day. Rep Trail discussed current plans to have the Governor make a proclamation, as well as the creation of an Idaho Peace Corps Exhibit to be displayed by the Idaho History Museum. Rep. Trail also shared personal testimony as a former Peace Corps volunteer in Latin America.

**MOTION:** Rep. Cronin moved to introduce **RS 20052**. Motion carried on voice vote.

**ADJOURN:** There being no further business to come before the committee, the meeting was adjourned at 9:39 a.m.

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Representative Nonini  
Chair

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Amber Messa  
Secretary

AGENDA  
**HOUSE EDUCATION COMMITTEE**  
**MARRIOTT SUBCOMMITTEE**  
Upon Adjournment of the Full Committee  
Room EW41  
Monday, January 24, 2011

<b>DOCKET NO.</b>	<b>DESCRIPTION</b>	<b>PRESENTER</b>
<b>32-0101-1001</b>	Endowment Fund Rules	Larry Johnson, Manager of Investments, Idaho Endowment Fund Investment Board  Karen Echeverria, Idaho School Boards Association

***If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman Jim Marriott  
Rep Brian Cronin  
Rep Reed DeMordaunt  
Rep Linden Bateman

COMMITTEE SECRETARY

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email: amessa@house.idaho.gov

MINUTES  
**HOUSE EDUCATION COMMITTEE  
MARRIOTT SUBCOMMITTEE**

**DATE:** Monday, January 24, 2011  
**TIME:** 9:30 A.M.  
**PLACE:** Room EW41  
**MEMBERS:** Chairman Marriott, Representatives DeMordaunt, Cronin, Bateman  
**ABSENT/  
EXCUSED:** None  
**GUESTS:** Dennis Stevenson, Rules Coordinator; Sherri Wood, Idaho Educators Association; Larry Johnson, Endowment Fund Investment Board; Ross Knight, Associated Students of Idaho State University

**Chairman Marriott** called the meeting to order at 9:42 a.m. and silent roll was taken.

**Docket No. 32-0101-1001:** **Larry Johnson**, with the Endowment Fund Investment Board, presented **Docket No. 32-0101-1001**, which allows the Endowment Fund to enhance credits of school bonds. Mr. Johnson informed board that all concerns from last year's proposal have been addressed and this rule would save a total of \$700,000-\$800,000.

**Rep. Marriott** asked for clarification regarding a reserve fund and pass through fees. **Mr. Johnson** explained that the system is set up so there will only be a temporary default, if one were to occur, and the Endowment Fund will be the reserve for that. Mr. Johnson also explained that the pass through fees were written in anticipation of an unlikely change or unique situation occurring within a school district. These would allow the Endowment Fund to seek an outside opinion before issuing a guarantee.

**Rep. DeMordaunt** asked if charter schools were able to enhance credits of school bonds. **Mr. Johnson** stated that charter schools were ineligible.

**Karen Echevarria**, with the Idaho School Boards Association, gave testimony to support this Docket, after changes clarifying fee placement had been made since last year. **Rep. Shirley**, addressed the Committee, having supported this Rule last session, and attested that the corrections have improved this rule and recommend the Committee vote to approve this Docket.

**MOTION:** **Rep. Cronin** moved to approve **Docket No. 32-0101-1001** to the full committee. **Motion carried on voice vote.**

**ADJOURN:** As there was no further business to come before the Committee, the meeting was adjourned at 10:01 a.m.

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Representative Jim Marriott  
Chair

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Amber Messa  
Secretary

AGENDA  
HOUSE EDUCATION COMMITTEE  
8:30 A.M.  
Room EW41  
Tuesday, January 25, 2011

<b>SUBJECT</b>	<b>DESCRIPTION</b>	<b>PRESENTER</b>
	College of Southern Idaho higher education presentation	Dr. Gerald Beck, President of CSI
<a href="#"><u>RS20010</u></a>	Proof of illness	Mark Browning, State Board of Education
<a href="#"><u>H 20</u></a>	University of Idaho tuition/fees	Marty Peterson, Special Assistant to the President, University of Idaho
<a href="#"><u>H 21</u></a>	School records	Mark Browning, State Board of Education

***If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman Nonini  
Vice Chair Shirley  
Rep Trail  
Rep Block  
Rep Nielsen  
Rep Chadderdon  
Rep Shepherd  
Rep Wills  
Rep Marriott  
Rep Thayn  
Rep Hartgen  
Rep Bateman  
Rep Boyle  
Rep DeMordaunt  
Rep Nessel  
Rep Pence  
Rep Chew  
Rep Cronin

COMMITTEE SECRETARY

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MINUTES  
**HOUSE EDUCATION COMMITTEE**

**DATE:** Tuesday, January 25, 2011

**TIME:** 8:30 A.M.

**PLACE:** Room EW41

**MEMBERS:** Chairman Nonini, Vice Chairman Shirley, Representative(s) Trail, Block, Nielsen, Chadderdon (Chadderdon), Shepherd, Wills, Marriott, Thayn, Hartgen, Bateman, Boyle, DeMordaunt, Nessel, Pence, Chew, Cronin

**ABSENT/  
EXCUSED:** None

**GUESTS:** Ray Amaya, KBOI 670 AM; Gerald Beck, College of Southern Idaho (CSI); Marty Peterson, University of Idaho (U of I); Sherri Wood, Idaho Education Association (IEA); Phil Homer, Idaho Association of School Administrators (IASA); Harold Ott, Idaho Rural Schools Association; Cyndie Hammond, Lewis-Clark State College (LCSC); Ben Botkin, Times-News; Richard Ledinton, Professional-Technical Education; Mark Browning, School Board of Education (SBOE); Tracie Bent, SBOE; Barbara Beck, CSI; Chelsea Drake; Dustin Hurst, IdahoReporter.com; Matthew Malek, Risch-Pisca, PLLC; Bert Marley, IEA; Janie Ward-Engleking; Robin Nettinga, IEA; Dave Goins, Idaho News Service; Karen Echeverria, Idaho School Boards Association

Meeting was called to order at 8:32 a.m. by **Chairman Nonini**.

**MOTION:** **Rep. Pence** moved to approve the minutes of January 19; **motion carried on voice vote.**

**Rep. Block** introduced **Dr. Gerald Beck**, President of CSI and his wife to the Committee. **Dr. Beck** presented to the Committee an overview of CSI statistics and general information including: enrollment numbers, community projects, dual credit courses, new grant funding, economic development in the Magic Valley, academic revenue source proportions, FY2012 base funding reduction strategies, funding challenges, student costs, and graduation rates.

**Rep. DeMordaunt** asked for details regarding online classes that are currently offered through CSI and their success rates. **Dr. Beck** stated that the goal for his college is to offer all core classes online, and that after using Blackboard, student success in online classes has surpassed the campus norm.

**Rep. Pence** asked why some online courses do not require COMPASS testing prior to enrollment. **Dr. Beck** explained that the COMPASS test is waived for rural areas who may not have access to a testing center and that it was expensive to send a tester from CSI to those areas. **Rep. Pence** commented that in the future this may be best implemented by the State Board or the Department of Education to ensure that all students are able to test and therefore placed in appropriate classes.

**Rep. Hartgen** inquired about the cost of remedial classes and asked if **Dr. Beck** would support putting some of those costs back on to the high schools. Dr. Beck stated that he would find that difficult and somewhat unfair, to expect all high schools to perform at the same level when the socio-economic makeup of the schools vary greatly, however was unsure of how the Board members would feel regarding this. Responding to questioning by **Rep. Shirley**, Dr. Beck informed the Committee that CSI would be able to sustain increased online programming and stated that online courses are not currently required for CSI students but many prefer them due to working while attending school. **Rep. Cronin** asked if CSI has had any problems with incoming students being unfamiliar with taking online courses. Dr. Beck the problems tend to lie with the accessibility to technology, not the students' knowledge of using technology.

**Rep. Block** asked **Dr. Beck** to elaborate on the new hospital program in Twin Falls. Dr. Beck explained that the new fiber optic line will connect the hospital, CSI and a local high school so that cross training and courses via webcam can occur. **Rep. Nielsen** asked if students have been able to find job placement upon graduation. Dr. Beck responded that this was the first year that all of CSI's nursing students weren't offered a job prior to graduation and they have also seen a decrease in job placement among the construction and mechanic fields.

**Rep. Nonini** thanked Dr. and Mrs. Beck for attending and presenting to the Committee.

**RS 20010:** **Mark Browning**, State Board of Education, presented **RS 20010**, proposed legislation that would remove the Board from the decision making process in negotiating sick time and give complete power to the local level.

**Rep. Nonini** asked why this piece of legislation was being proposed now instead of in prior years. **Mr. Browning** responded that this proposal is a result of zero based budgeting and efforts to increase efficiency.

**MOTION:** **Rep. Wills** moved to introduce **RS 20010**. **Motion carried on voice vote.**

**H 20:** **Marty Peterson**, U of I, presented **H 20**, a bill allowing the U of I to charge tuition to residential undergraduate students. Currently, the U of I can charge student fees, but these fees cannot be used for the cost of classroom instruction.

**Rep. Thayn** asked for clarification in the wording regarding the Board of Regents and the State Board of Education (SBOE). **Mr. Peterson** informed the Committee that the SBOE sets fees for all state universities, however, can only set fees for the U of I when it is acting as the Board of Regents (U of I is the only university with a Board of Regents).

**MOTION:** **Rep. Trail** moved to send **H 20** to the floor with a **DO PASS** recommendation; **motion carried on voice vote.** Rep. Trail will sponsor **H 20**.

**H 21:** **Mr. Browning** presented **H 21**, a bill removing the requirement that the SBOE maintains a hard copy of all school district negotiated agreements, as it is a duplicate effort since the school district also keeps a copy on file.

**MOTION:** **Rep. Bateman** moved to send **H 21** to the floor with a **DO PASS** recommendation; **motion carried on voice vote** Rep Bateman will sponsor **H 21**.

**ADJOURN:** There being no further business to come before the committee, the meeting was adjourned at 9:50 a.m..

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Representative Nonini  
Chair

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Amber Messa  
Secretary

**AMENDED #1 AGENDA  
HOUSE EDUCATION COMMITTEE  
8:30 A.M.  
Room EW41  
Wednesday, January 26, 2011**

<b>SUBJECT</b>	<b>DESCRIPTION</b>	<b>PRESENTER</b>
	Idaho State University — higher education presentation	Dr. Arthur Vailas, President, Idaho State University
<a href="#"><u>RS20195</u></a>	Parental Rights	Chairman Robert Nonini
<b>Docket No.</b>	<b>Report from Marriott Subcommittee</b>	
<b>08-0202-1003</b>	Rules Governing Uniformity	
<b>08-0202-1004</b>	Rules Governing Uniformity	
<b>08-0203-1001</b>	Rules Governing Thoroughness	
<b>08-0203-1003</b>	Rules Governing Thoroughness	
<b>08-0203-1004</b>	Rules Governing Thoroughness	
<b>32-0101-1001</b>	Endowment Rules	

***If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman Nonini	Rep Thayn
Vice Chair Shirley	Rep Hartgen
Rep Trail	Rep Bateman
Rep Block	Rep Boyle
Rep Nielsen	Rep DeMordaunt
Rep Chadderdon	Rep Nessel
Rep Shepherd	Rep Pence
Rep Wills	Rep Chew
Rep Marriott	Rep Cronin

COMMITTEE SECRETARY

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MINUTES  
**HOUSE EDUCATION COMMITTEE**

**DATE:** Wednesday, January 26, 2011  
**TIME:** 8:30 A.M.  
**PLACE:** Room EW41  
**MEMBERS:** Chairman Nonini, Vice Chairman Shirley, Representative(s) Trail, Block, Nielsen, Chadderdon (Chadderdon), Shepherd, Wills, Marriott, Thayn, Hartgen, Bateman, Boyle, DeMordaunt, Nessel, Pence, Chew, Cronin  
**ABSENT/  
EXCUSED:** Representative(s) Nielsen, Wills, Boyle  
**GUESTS:** Dr. Arthur Vailas, Idaho State University; Ed Hawley, Administrative Rules; Jan Sylvester; Mark Browning, Idaho State Board of Education (SBOE); Tracie Bent, SBOE; Bryan Stafford, Associated Students of the University of Idaho; Dana Barrey, University of Idaho (U of I); Seth Pratt, U of I; Sherri Wood, Idaho Education Association; Ray Amaya, KBOI 670 AM; Harold Ott, Idaho Rural Schools Association; Russ Knight, Associated Students of Idaho State University; Hannah Brass, American Civil Liberties Union of Idaho; Luci Willits, State Department of Education; Jessica Harrison, Idaho School Boards Association; Larry Johnson, Endowment Fund Investment Board

**Chairman Nonini** called the meeting to order at 8:31 a.m. and silent roll was taken.

**MOTION:** **Rep. Thayn** moved to approve the minutes of January 17; **motion carried on voice vote.**

**MOTION:** **Rep. Pence** moved to approve the minutes from January 18th; **motion carried on voice vote.**

**MOTION:** In regards to January 18 minutes, **Rep. Thayn** recommended that in the future the acronym LongDS should replace LDS when discussing the longitudinal data system to avoid confusion. **Rep. Thayn** moved to approve the minutes from January 24; **motion carried on voice vote.**

**Chairman Nonini** introduced **Dr. Arthur Vailas**, president of Idaho State University (ISU). Dr. Vailas presented to the Committee the importance of making higher education a priority and highlighted several ways his university has adjusted and reformed to better do so. Dr. Vailas announced that ISU has received the highest honor of the Carnegie Foundation, the gold standard in academia, and is in the top 5% of schools in its category. Dr. Vailas emphasized the changes that have been made to increase access to students, including increased online courses, as well as efforts made to encourage student retention and graduation. Dr. Vailas closed by saying that improved educational systems affect all areas of society, giving Health and Welfare and the Department of Corrections as an example.

In response to Committee questions regarding pay for performance, **Dr. Vailas** stated that this was the underlying concept of ISU's reformation. He commented that Presidents of Universities should be held accountable for student performance and that he personally reports to a Board who has a rubric to grade institutional performance.

**Rep. Thayn** asked if it was possible to move general education classes to the high school setting. **Dr. Vailas** responded that it is a constant effort of ISU, and that ISU currently has the highest dual credit enrollment among research universities in the state. Dr. Vailas noted that it is difficult to delegate faculty and resources to dual credit programs but believes the Idaho Education Network will remedy this in the future. Rep. Thayn followed by asking if an increase in state tax would drive some of ISU's collaborative partners in private sector out of Idaho. Dr. Vailas stated that he was not knowledgeable enough in that area to answer but commented that Idaho needs to improve its power grid in order to attract and maintain alternative energy businesses.

**Rep. DeMordaunt** asked if a collaboration among universities and colleges would alleviate cuts to class availability and help expedite graduation. **Dr. Vailas** responded that this has been an ongoing effort directed by the SBOE but that efforts in providing effective advising as well as coordinating efficient schedules will also be important.

**Rep. Chew** requested that **Dr. Vailas** send the Committee statistical data at a later date, including enrollment numbers, percentage of students needing remediation and graduation rates. Rep. Chew asked about the efficiency measures being implemented with ISU's health sciences program. Dr. Vailas discussed the alliance of all state institutions in the health care field, and they are moving forward to create a Doctorate in Nursing program to ensure Idaho's need for Nursing teachers is met. He also stated that a Division of Health Sciences has been created, as well as a consortium of clinics. Dr. Vailas expressed his support for joining private and public sectors to provide needed health services to Idahoans while reallocating funds back to students. Dr. Vailas mentioned that national accreditation has caused some difficulties and stated a need for national lobbying, especially when determining policies regarding providing health services to rural areas.

**Rep. Block** asked what measures ISU was taking to ensure student retention. **Dr. Vailas** stated that advising is a large area where focus is being placed, as well as helping students seek financial aid, offering internships to make graduates more competitive in the workforce, raising admissions standards and identifying at risk students early.

**Chairman Nonini** thanked Dr. Vailas for his time and restated the sentiments of congratulations from the Committee regarding ISU's recognition by the Carnegie Foundation.

**RS 20195:** **Chairman Nonini** presented **RS 20195**, cosponsored by **Rep. Moyle**, which affirms the Idaho Legislature's support for the Parental Rights Amendment to the U.S. Constitution.

**MOTION:** **Rep. Block** moved to introduce **RS 20195**. **Motion carried on voice vote.**

**Docket No. 08-0202-1003:** **Rep. Marriott** recommended that the Committee move to approve **Docket No. 08-0202-1003**, which outlines an optional endorsement for online teachers.

**MOTION:** **Rep. Shirley** moved to approve **Docket No. 08-0202-1003**. **Motion carried on voice vote.**

**Docket No. 08-0202-1004:** **Rep. Marriott** recommended that the Committee move to approve **Docket No. 08-0202-1004**, which proposes to eliminate duplicate spending in Mathematical Thinking Instruction.

**MOTION:** **Rep. DeMordaunt** moved to approve **Docket No 08-0202-1004**. **Motion carried on voice vote.**

**Docket No. 08-0203-1001:** **Rep. Marriott** recommended that the Committee move to approve **Docket No. 08-0203-1001**, which sets out Annual Measurable Achievement Objectives and includes new rules for homebound students that miss the standardized testing window.

**MOTION:** **Rep. DeMordaunt** moved to approve **Docket No. 08-0203-1001**. **Motion carried on voice vote.**

**Docket No. 08-0203-1003:** **Rep. Marriott** recommended that the Committee move to approve **Docket No. 08-0203-1003** which requires school districts to notify all students who fail the 10th grade ISAT of the availability of an alternative graduation path.

**MOTION:** **Rep. Block** moved to approve **Docket No. 08-0203-1003**. **Motion carried on voice vote.**

**Docket No. 08-0203-1004:** **Rep. Marriott** recommended that the Committee move to approve **Docket No. 08-0203-1004**, which sets rules for implementing the National Pilot Program and drops science from proficiency testing.

**MOTION:** **Rep. Shepherd** moved to approve **Docket No. 08-0203-1004**. **Motion carried on voice vote.**

**Docket No. 32-0101-1001:** **Rep. Marriott** recommended that the Committee approve **Docket No. 32-0101-1001**, which allows the Endowment Fund to enhance credit ratings of school bonds. **Rep. Hartgen** thanked **Larry Johnson** of the Endowment Fund Investment Board for his work in resolving issues that prevented the Rule from being approved last session.

**MOTION:** **Rep. Shirley** moved to approve **Docket No. 32-0101-1001**. **Motion carried on voice vote**

**ADJOURN:** There being no further business to come before the committee, **Chairman Nonini** adjourned the meeting at 9:28 a.m.

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Representative Nonini  
Chair

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Amber Messa  
Secretary

AGENDA  
HOUSE EDUCATION COMMITTEE  
8:30 A.M.  
Room EW41  
Thursday, January 27, 2011

<b>SUBJECT</b>	<b>DESCRIPTION</b>	<b>PRESENTER</b>
	Lewis-Clark State College - higher education presentation	Tony Fernández, President, Lewis-Clark State College
	North Idaho College - higher education presentation	Dr. Priscilla Bell, President, North Idaho College
	College of Western Idaho - higher education presentation	Dr. Bert Glandon, President, College of Western Idaho

***If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman Nonini  
Vice Chair Shirley  
Rep Trail  
Rep Block  
Rep Nielsen  
Rep Chadderdon  
Rep Shepherd  
Rep Wills  
Rep Marriott  
Rep Thayn  
Rep Hartgen  
Rep Bateman  
Rep Boyle  
Rep DeMordaunt  
Rep Nessel  
Rep Pence  
Rep Chew  
Rep Cronin

COMMITTEE SECRETARY

Amber Messa  
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Phone: (208) 332-1148  
email: [amessa@house.idaho.gov](mailto:amessa@house.idaho.gov)

MINUTES  
**HOUSE EDUCATION COMMITTEE**

**DATE:** Thursday, January 27, 2011  
**TIME:** 8:30 A.M.  
**PLACE:** Room EW41  
**MEMBERS:** Chairman Nonini, Vice Chairman Shirley, Representative(s) Trail, Block, Nielsen, Chadderdon (Chadderdon), Shepherd, Wills, Marriott, Thayn, Hartgen, Bateman, Boyle, DeMordaunt, Nessel, Pence, Chew, Cronin  
**ABSENT/  
EXCUSED:** Representative(s) Block  
**GUESTS:** John Martin, North Idaho College (NIC); Dr. Priscilla Bell, NIC; Dr. Tony Fernández, Lewis-Clark State College (LCSC); Cyndie Hammond, LCSC Coeur d'Alene (LCSC-CDA); Tracie Bent, State Board of Education; Harold Ott, Idaho Rural Schools Association; Phil Homer, Idaho Association of School Administrators; Bert Marley, Idaho Education Association; Ron Dorn, NIC; Jeremy Pisca, College of Western Idaho (CWI); Richard Ledington, Professional-Technology Education; Benjamin Davenport, Risch Pisca LLC; Dr. Bert Glandon, CWI

Meeting was called to order by **Chairman Nonini** at 8:33 a.m. and silent roll was taken.

- MOTION:** **Rep. Marriott** moved to approve the minutes from January 17, **motion carried on voice vote.**
- MOTION:** **Rep. Hartgen** moved to approve Hartgen subcommittee minutes from January 19th, **motion carried on voice vote.**
- MOTION:** **Rep. Marriott** moved to approve the Marriott subcommittee minutes from January 19th, **motion carried on voice vote.**
- MOTION:** **Rep. DeMordaunt** requested a grammar correction be made in the January 24th Marriott subcommittee minutes, adding the word "to" in paragraph four, so it would read, "Rep. DeMordaunt asked if charters schools were able to enhance..." **Rep. Marriott** moved to approve the Marriott subcommittee minutes from January 24th with this correction, **motion carried on voice vote.**

**Chairman Nonini** informed the Committee that **Dr. Priscilla Bell** would trade presentation order with **Dr. Tony Fernández**. Chairman Nonini presented Dr. Bell, President of North Idaho College (NIC), to the Committee. Dr. Bell presented an overview of NIC to the Committee, focusing on NIC's record enrollment, student groups, community partnerships, remediation and successful programs. Dr. Bell stated that because of rapid growth, NIC's future will focus mainly on expansion and new building projects. NIC is also in the process of proposing legislation that would benefit employees utilizing the Optional Retirement Plan (ORP).

**Chairman Nonini** thanked **Dr. Bell** for her mention of remedial classes and pointed out an article from the Idaho Statesman regarding the nation's below proficient performance in the field of science. Chairman Nonini excused himself from Committee to attend another meeting and turned the gavel over to **Vice Chairman Shirley**.

**Rep. Hartgen** asked **Dr. Bell** for her thoughts on a proposal to change community college trustee elections to allow for elections by zones. Dr. Bell said there was "no public demand" for that change at this time and she did not "see the need" for a change in the way community college trustees are elected. In response to Committee questions, Dr. Bell elaborated on NIC's flexible learning center, which teaches online individualized lesson plans in computer applications and on the proposed legislation regarding the ORP. Dr. Bell informed the Committee that currently NIC pays 3.83% of the total salary for professional staff and faculty. When this sunsets on July 1, 2011 that 3.83% would return to college's bank account. Dr. Bell is proposing to take 3.83% and use it to bring the contribution of ORP employees to that equal to PERSI. Dr. Bell emphasized that this would be budget neutral to both the state and college and would result in ORP employees having a greater contribution to their retirement fund.

**Rep. Chew** asked if the Opportunity Scholarship was available to NIC students and if NIC had taken measures to allow for private citizens to donate to the Scholarship Fund on income tax forms. **Dr. Bell** responded that she had not been aware this was an option and would look into it, as NIC students are eligible to receive the Opportunity Scholarship and it is a great program to help fund higher education. Dr. Bell concluded her presentation by thanking the Committee for their time and support of higher education.

**Rep. Nessel** introduced interim President for Lewis-Clark State College (LCSC), **Dr. Tony Fernández**. Dr. Fernández discussed the history of LCSC, its academic and student programs, community programs and collaborative partnerships, enrollment numbers and measures taken to encourage student success. Dr. Fernández introduced **Cyndie Hammond**, regional Director of LCSC-CDA and discussed remedial classes and various measures taken to cope with budget cuts.

**Rep. DeMordaunt** asked what benchmarks were being used to determine student success. **Dr. Fernández** responded that they look at retention rates, graduation rates over a six year period and tests students every three years using the nationwide Map Test, as well as implementing programs to retain at risk students. **Rep. Cronin** asked for further explanation of the PACE program, which has received a national award. Dr. Fernández explained that the PACE program provides an alternative path to teacher certification, noting the high percentage (70%) of graduates who find teaching jobs in Idaho upon graduation.

**Rep. Thayn** asked how the increased work load has affected faculty morale. **Dr. Fernández** commended his faculty for their flexibility in hard times but recognized that it is becoming more difficult for faculty to remain positive with the continual increase in work-load and lack of salary raises. In response to **Rep. Nielsen's** concern of the 9% unemployment among LCSC graduates and delay of campus maintenance, Dr. Fernández noted that unemployment is not in all fields, and that there is a need for advisors to inform new students about the job availability in the fields they are choosing to study. He also noted that maintenance requests are monitored and prioritized so the most critical repairs are made when funds are available. **Rep. DeMordaunt** commented that the percentage of students needing remediation in math are lower than other schools. Dr. Fernández noted that the number given was from the Fall 2010 semester, and was lower than prior semesters, but commended the local high school for its efforts in student achievement. Dr. Fernández thanked the Committee for their time.

**Rep. Cronin** introduced **Dr. Bert Glandon**, President of the College of Western Idaho (CWI). Dr. Glandon introduced Jeff Shinn, Budget Director for CWI., who would be assisting in today's presentation. Dr. Glandon informed staff of the rapid growth CWI has seen in the last two years since its opening. He noted that CWI will have direct transfer agreements with all public and private institutions in the area as of next month, when the final institution signs their agreement. Dr. Glandon informed the Committee of the various programs, community projects and shared student stories to show the important role CWI is playing in its community.

**Chairman Nonini** asked if there has been any talk regarding a property tax increase. **Dr. Glandon** stated that there has been talk, since the current tax base for CWI is far lower than that of the College of Southern Idaho (CSI) and NIC. He commented on the strong community support of CWI even during tough economic times and mentioned that this may be a topic that is seriously considered in the near future. **Rep. Nielsen** asked about students attending CWI that are not in the tax zone, and if those counties (Elmore in particular) have approached CWI in efforts to become part of the tax zone. Dr. Glandon responded that the two counties furthest from CWI have, but not Elmore county. Dr. Glandon commented that there may be an incentive to become part of the taxing district, as the current tax base would be cheaper than the \$500 per student per semester that non-tax counties currently pay. In a follow up comment, **Chairman Nonini** remarked that it is unfortunate that liquor tax revenue is not going entirely to community colleges as it's supposed to.

**Rep. Cronin** asked what teacher training, if any, is being provided for faculty who teach online courses and if CWI has found a lack of skills among its students to complete online courses successfully. **Dr. Glandon** stated that CWI makes every attempt to hire staff who already have knowledge and experience teaching online courses, but they do require two classes for teachers who lack the necessary skills. In regards to student knowledge of online courses, Dr. Glandon noted that most students who have difficulty with online courses are older. Many online courses through CWI are hybrid courses, that require students to meet with their professors once a week in addition to completing the online portion of their class, increasing the likelihood of student success. Dr. Glandon closed his presentation by thanking the Committee for their past and current support of CWI. **Chairman Nonini** stated that it is exciting to see such rapid growth and support of CWI and thanked Dr. Glandon for his presentation.

**ADJOURN:** As there was no further business to come before the committee, **Chairman Nonini** adjourned the meeting at 10:33 a.m.

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Representative Nonini  
Chair

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Amber Messa  
Secretary

AGENDA  
HOUSE EDUCATION COMMITTEE  
9:00 A.M.  
Room EW41  
Monday, January 31, 2011

<b>SUBJECT</b>	<b>DESCRIPTION</b>	<b>PRESENTER</b>
<a href="#"><u>RS20156</u></a>	Mastery Advancement Pilot Program	Rep. Thayn
<a href="#"><u>HP 1</u></a>	Peace Corps	Rep. Trail

***If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman Nonini  
Vice Chair Shirley  
Rep Trail  
Rep Block  
Rep Nielsen  
Rep Chadderdon  
Rep Shepherd  
Rep Wills  
Rep Marriott  
Rep Thayn  
Rep Hartgen  
Rep Bateman  
Rep Boyle  
Rep DeMordaunt  
Rep Nessel  
Rep Pence  
Rep Chew  
Rep Cronin

COMMITTEE SECRETARY

Amber Messa  
Room: EW49  
Phone: (208) 332-1148  
email: amessa@house.idaho.gov

MINUTES  
**HOUSE EDUCATION COMMITTEE**

**DATE:** Monday, January 31, 2011  
**TIME:** 9:00 A.M.  
**PLACE:** Room EW41  
**MEMBERS:** Chairman Nonini, Vice Chairman Shirley, Representative(s) Trail, Block, Nielsen, Chadderdon (Chadderdon), Shepherd, Wills, Marriott, Thayn, Hartgen, Bateman, Boyle, DeMordaunt, Nessel, Pence, Chew, Cronin

**ABSENT/  
EXCUSED:** Representative(s) Nielsen

**GUESTS:** Kevin Laughlin, Idaho Returned Peace Corps Volunteers (IRPCVs); Morgan Case, IRPCVs; John Hooper, IRPCVs; Lorna Jorgensen, IRPCVs; Marilee Fuller, IRPCVs; Sharon Bixby, IRPCVs; Ben Botkin, Times News; Janet Gallimore, Idaho Historical Society; Susan Stacy, IRPCVs; Phil Homer, Idaho Association of School Administrators; Harold Ott, Idaho Rural Schools Association; Mark Gehrhe; Dustin Hurts, Idaho Reporter; Jessie Bonner, Associated Press; Robin Nettinga, Idaho Education Association (IEA); Bert Marley, IEA; Garry Lough, Idaho Education Network; Matthew Malek, Risch Pisca PLLC; Luci Willits, State Department of Education

**Chairman Nonini** called the meeting to order at 9:02 a.m.

**MOTION:** **Rep. Pence** moved to approve the minutes of January 12th; **motion carried on voice vote.**

**MOTION:** **Rep. Thayn** moved to approve the minutes of January 25th; **motion carried on voice vote.**

**MOTION:** **Rep. Pence** moved to approve the minutes of January 26th; **motion carried on voice vote.**

**MOTION:** **Rep. Thayn** moved to approve the minutes of January 27th; **motion carried on voice vote.**

**HP 1:** **Chairman Nonini** announced to the Committee that the order of presenters would be reversed. **Rep. Trail** commented on the low costs of operating the Peace Corps in comparison to other government projects and introduced **Kevin Laughlin** of the Idaho Return Peace Corps Volunteers (IRPCVs). Mr. Laughlin thanked Rep. Trail for his prior Peace Corps service and explained that the goal of the IRPCVs was to increase cultural awareness in Idaho and encourage a spirit of volunteerism, along with assisting refugee programs in Boise and Twin Falls. Mr. Laughlin mentioned the upcoming events of the IRPCVs to include a camp-out for returned volunteers and an exhibit at the Idaho Historical Museum. Mr. Laughlin requested that all returned volunteers in the gallery introduce themselves and briefly describe their service with the Peace Corps.

**Chairman Nonini** commented that the deferment and payment of student loans is an attractive benefit to Peace Corps service. **Rep. Cronin** asked if families with children were allowed to volunteer. **Mr. Laughlin** replied that it was once allowed but now married couples without children may serve together, as well as couples whose children are grown. He mentioned that there were several other programs who allowed families to volunteer together.

Several returned volunteers briefly described their experiences with the Peace Corps. All stated that they felt the Peace Corps gave them a life changing experience and have led to their active volunteering in Idaho upon their return. **Rep. DeMordaunt** asked how a service location is chosen. **Mr. Laughlin** informed the Committee that the application process takes a year, and includes an interest screening, during which applicants give preferences to where they want to volunteer. Once applicants pass a health screening, and are approved, they are given three countries to choose from, the applicant can accept the offer to one of the countries or renew their application and try again. **Rep. Bateman** asked what measures are taken to ensure volunteer safety abroad. Mr. Laughlin stated that all volunteers receive training prior to their service, including recommendations by country and measures each volunteer can take to ensure their safety. He mentioned that the local people protect volunteers as well, after they find out they are with Peace Corps and not military members or government agents.

**Janet Gallimore** from the Idaho Historical Society discussed the upcoming Peace Corps exhibit and stated that volunteers play a large role at the Idaho History Museum and they are happy to be collaborating with the IRPCVs in this venture.

**MOTION:** **Vice Chairman Shirley** moved to send **HP 1** to the floor with a **DO PASS** recommendation; **motion carried on voice vote.** **Rep. Trail** will sponsor **HP 1**.

**RS 20156:** **Rep. Thayne** presented **RS 20156**, proposed legislation which strikes current language from the Master Advancement Pilot Program to accommodate for the lower than expected number of applicant schools.

**MOTION:** **Rep. Marriott** moved to introduce **RS 20156.** **Motion carried on voice vote.**

There being no further business to come before the committee, the meeting was adjourned at 9:42 a.m.

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Representative Nonini  
Chair

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Amber Messa  
Secretary

AGENDA  
HOUSE EDUCATION COMMITTEE  
9:30 A.M.  
Room EW41  
Tuesday, February 01, 2011

<b>SUBJECT</b>	<b>DESCRIPTION</b>	<b>PRESENTER</b>
	Department of Corrections presentation	Brent Reinke, Director of the Idaho Department of Corrections  Shane Evans, Director of Education, Treatment, and Reentry

***If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman Nonini  
Vice Chair Shirley  
Rep Trail  
Rep Block  
Rep Nielsen  
Rep Chadderdon  
Rep Shepherd  
Rep Wills  
Rep Marriott  
Rep Thayn  
Rep Hartgen  
Rep Bateman  
Rep Boyle  
Rep DeMordaunt  
Rep Nessel  
Rep Pence  
Rep Chew  
Rep Cronin

COMMITTEE SECRETARY

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MINUTES  
**HOUSE EDUCATION COMMITTEE**

- DATE:** Tuesday, February 01, 2011
- TIME:** 9:30 A.M.
- PLACE:** Room EW41
- MEMBERS:** Chairman Nonini, Vice Chairman Shirley, Representative(s) Trail, Block, Nielsen, Chadderdon (Chadderdon), Shepherd, Wills, Marriott, Thayn, Hartgen, Bateman, Boyle, DeMordaunt, Nessel, Pence, Chew, Cronin
- ABSENT/  
EXCUSED:** None
- GUESTS:** Shane Evans, Idaho Department of Corrections (IDOC); Brent Reinke, IDOC; Craig Cobia, Chamber of Commerce; Joseph West, Rexburg Chamber of Commerce (RCC); Mark Browning, State Board of Education; Bert Marley, Idaho Education Association (IEA); Robin Nettinga, IEA; Ross Borden, City of Boise; Joe Black, University of Idaho; Harold Ott, Idaho Rural Schools Association; Phil Homer, Idaho Association of School Administrators; Hyrum Erickson, RCC; Donna Benfield, RCC
- Vice Chairman Shirley** called the meeting to order at 9:31 a.m.
- MOTION:** **Rep. Thayn** moved to approve the minutes from January 31, **motion carried on voice vote.**
- Vice Chairman Shirley** introduced **Brent Reinke** and **Shane Evans** from the Idaho Department of Corrections (IDOC). Mr. Reinke presented various cost saving methods that the IDOC has taken in the past few years, including cutting food waste and using creative techniques to efficiently use funding, which has led to the stabilization of inmate numbers and has eliminated the prior need for a new prison every five years.
- Mr. Evans** then outlined the educational programs offered to IDOC inmates, including literacy classes, GED opportunities and a new computer literacy program. Inmates have also recently been given the opportunity to grow and harvest vegetables, which all go to the Idaho Food Bank. IDOC is hoping to double the land it currently uses for this program to 12 acres. 40% of inmates at intake do not have a high school diploma. Mr. Evans stated that currently only 4% of the general fund goes toward these programs, the other 96% are grant funded. Mr. Evans also announced the IDOC school recently passed a strict review, thereby regaining accreditation for the next six years.
- In response to a question regarding furloughs, **Mr. Reinke** responded that furloughs have led to a large increase in overtime hours, and the issue of furloughs is difficult and one they are trying to improve. He also commented that furloughs and overtime have led to higher staff turnover. **Mr. Evans** also informed the Committee that state certified teachers are recruited and although their salaries are less than those of traditional teachers, the IDOC has been able to retain a group of highly committed individuals.
- In response to a question regarding the correlation between gaining an Associates degree and the chance of re-offending, **Mr. Reinke** explained that studies show education saves the state money in the long run and that 97% of inmates will be released at some point in time and an education is key to helping them return home successfully. **Mr. Evans** stated that Idaho ranks low in inmate education, as only 4% of the general fund goes to prison education programs.

**Mr. Evans** was asked to elaborate on the IDOC's collaboration with the Department of Health and Welfare. Mr. Evans informed the Committee that the IDOC primarily works with adult offenders but is trying to work with the Department of Health and Welfare to identify the children and families of inmates and help them gain the necessary tools and resources they need while their family member is incarcerated. Mr. Evans noted that cooperation is continually improving and collaborative efforts have so far been successful.

**Vice Chairman Shirley** turned the gavel over to **Chairman Nonini**.

In describing IDOC's work with parolees and gang members, **Mr. Reinke** informed the Committee that currently 39 different gangs are incarcerated in Idaho and with the new Treasure Valley Partnership, over 40 gang leaders have been sent to federal prison. In regarding parole efforts, Mr. Reinke stated that IDOC is trying to send inmates to the right bed for the right amount of time, as well as offering treatment options that will make parole more successful and decrease the chance of re-offending.

In response to a question regarding the legality of IDOC's proposal to charge for a presentence investigation (PSI) and how the charge would affect the families of offenders, **Mr. Reinke** responded that the Deputy Attorney General had advised that charging for the PSI is legal and although not an ideal policy, it is necessary after three consecutive years of budget cuts. Mr. Reinke stated that parole officers will be informed of all fees due and can prioritize to ensure that restitution and other fees are paid as well, but was unable to give the percentage that the families of offenders would be accountable for.

In discussing what school districts and teachers can do to prevent youth from becoming incarcerated in the future, **Mr. Evans** stated that in his prior experience working with juvenile offenders the lack of connectivity with school played a large role on youth success, as did early intervention regarding substance abuse and gang involvement, as well as the home environment of the youth, reiterating that IDOC's collaboration with H&W will hopefully continue to help in these areas.

In describing the efforts of faith based programming and the affect budget cuts are having on the services they provide inmate populations, **Mr. Evans** stated that faith based organizations have been very active, even during the cuts. He mentioned that the first 90 days of an inmate's release are critical in improving chances of successful reentry to society and IDOC works with several religious groups who help the offender population and offer services and activities upon their release to promote a successful transition. Mr. Evans stated that administrative costs of doing background checks for volunteers is still somewhat financially difficult but they are trying to streamline the process.

In response to a question as to the reason why the CAPS program costs \$47 a day compared to IDOC's \$52 a day, **Mr. Reinke** stated that IDOC's average is \$52 a day, and includes all facilities. The Idaho Correctional Center only costs \$40 a day, but the higher security prison costs \$80 a day. Also, CAPS costs an additional \$12 a day for medical treatment, making the total daily cost greater than IDOC. In response to a follow up question regarding Idaho's percentage of undocumented inmates, Mr. Reinke responded that about 300 of the approximately 7,400 Idaho inmates are undocumented.

In response to a question regarding how a decrease in grant funding would affect IDOC's educational programs, **Mr. Evans** stated that a decrease in grant funding would greatly affect the programs, as 96% of funds are awarded through grants. In response to a request for quantified employee training, furlough days and overtime information, **Mr. Reinke** stated that most of the overtime hours have been taken care of in the budget but would follow up with the Committee when that information was gathered.

In response to a question regarding professional-technical education, **Mr. Evans** stated that IDOC has been able to partner with community colleges to offer training to inmates and that higher education increases the chance of success upon release. Mr. Evans acknowledged that education decreases the chance of someone entering the IDOC system, but is not the only factor in determining risk of offending.

**ADJOURN:**

**Chairman Nonini** thanked **Mr. Reinke and Mr. Evans** for their presentations. There being no further business to come before the Committee, the meeting was adjourned at 10:37 a.m.

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Representative Nonini  
Chair

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Amber Messa  
Secretary

AGENDA  
HOUSE EDUCATION COMMITTEE  
8:30 A.M.  
Room EW41  
Wednesday, February 02, 2011

SUBJECT	DESCRIPTION	PRESENTER
<a href="#">HJM 1</a>	Parental Rights	Chairman Nonini
	University of Idaho higher education presentation	Dr. Duane Nellis, President, U of I

***If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

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Rep Trail  
Rep Block  
Rep Nielsen  
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Rep Shepherd  
Rep Wills  
Rep Marriott  
Rep Thayn  
Rep Hartgen  
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Rep Nasset  
Rep Pence  
Rep Chew  
Rep Cronin

COMMITTEE SECRETARY

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MINUTES  
**HOUSE EDUCATION COMMITTEE**

**DATE:** Wednesday, February 02, 2011

**TIME:** 8:30 A.M.

**PLACE:** Room EW41

**MEMBERS:** Chairman Nonini, Vice Chairman Shirley, Representative(s) Trail, Block, Nielsen, Chadderdon (Chadderdon), Shepherd, Wills, Marriott, Thayn, Hartgen, Bateman, Boyle, DeMordaunt, Nessel, Pence, Chew, Cronin

**ABSENT/  
EXCUSED:** Representative(s) Chew

**GUESTS:** Barry Peters, Cornerstone Family Council (CFC) and Idaho Coalition of Home Educators (ICHE); Micheline Ghiorso, CFC and ICHE; Rachel Hooper, CFC and ICHE; Holly Monaghan, CFC and ICHE; Julie Lynde, CFC; Sherri Wood, Idaho Education Association (IEA); Jessie Bonner, Associated Press; Harold Ott, Idaho Rural Schools Association; Duane Nellis, University of Idaho (U of I); Fairy Hitchcock, Hitchcock Family Advocates; Ros Peters, CFC and ICHE; Mike Sharp, Idaho Democratic Legislative Caucus; Phil Homer, Idaho Association of School Administrators; Todd Rains; Joe Black, U of I; Isabel Bilbo, U of I; Garry Lough, Idaho Education Network; Dustin Hurst, Idaho Reporter; Jeremy Chou, Givens Pursley; Renee Sinclair, Apple; Linda Patchin, Christian Home Schoolers of Idaho State

**Chairman Nonini** called the meeting to order at 8:33 a.m.

**MOTION:** **Rep. Thayn** moved to approve the minutes of February 1st; **motion carried on voice vote.**

**HJM 1:** **Chairman Nonini** presented **HJM 1**, which affirms Idaho's support of a parental rights Amendment to the U.S. Constitution. In response to a question regarding the ability for the state to intervene when a child was in danger, Chairman Nonini explained that current laws would still allow for state intervention if necessary.

Some concerns were stated about making an amendment to the Constitution. In response to a question regarding what problem exists that warrants such an extreme measure to be taken, **Chairman Nonini** stated that this was a pro-active, not reactive, piece of legislation, and they were trying to prevent future problems from occurring.

**Barry Peters**, with the Cornerstone Family Council (CFC) and the Idaho Coalition of Home Educators (ICHE), gave the Committee an overview of the history of parental rights and gave recent examples that showed the "erosion" of parental rights, including the breakdown of Supreme Court Justices and how the newly elected Justices will affect the voting patterns in regards to parental rights. Mr. Peters stated that these events have laid the foundation for legislation requesting an amendment be made.

It was stated that this seems to be a preemptive piece of legislation against something hypothetical and it would take power away from parents and give it to the federal government. Mr. Peters responded that he suggests the opposite would occur, and this would declare the rights of parents to the maximum extent. In response to the concern of the vague wording in the proposed amendment, Mr. Peters stated that the language is intended to mesh with the Constitution, not supersede it.

In response to a question asking if this legislation was more in line with amendments 1-10, which limited the power of the federal government, or other Amendments that give more power to the federal government. **Mr. Peters** answered that it is a combination of both types of amendments.

**Micheline Ghorso** with the CFC and ICHE discussed the United Nations Convention on the Rights of the Child (UNCRC) treaty, which, if approved by Congress, would supersede all American laws regarding families and children. Ms. Ghorso expressed her concern for this massive shift in power and gave an example of a case in Canada where a child sued her father, and won, after he grounded her from a school trip.

High School students **Rachel Hooper** and **Holly Monaghan** from the CFC and ICHE expressed their support of **HJM 1** and stated that parents should determine the upbringing of their children, not the government.

**Julie Lynde**, with the CFC discussed her concern of the potential passing of the UNCRC treaty and her support of **HJM 1** in order to preserve Idaho families.

**Fairy Hitchcock** with Hitchcock Family Advocates stated her support of **HJM 1** and stated that this is necessary legislation to maintain state sovereignty.

Support of this memorial was stated, while noting that caution needs to be taken in any efforts to amend the Constitution, as they can be misinterpreted in the future. **Vice Chairman Shirley** introduced the memorial's cosponsor, **Rep. Moyle** and asked if he would like to add any further comments. Rep. Moyle stated that he shares the concerns of several Committee members, but feels there are good arguments for this memorial.

Comments were made about the unlikely chance that the UNCRC treaty will pass, and that a memorial urging Congress not to vote for UNCRC may serve a better purpose than a constitutional amendment. instead.

**MOTION:** **Rep. Thayn** moved to send **HJM 1** to the floor with a **DO PASS** recommendation.

**SUBSTITUTE MOTION:** **Rep. Nielsen** stated that he felt all legislators should fully research this memorial before voting and moved to send **HJM 1** to the floor without recommendation, so greater thought and consideration would be given to this legislation.

**ROLL CALL VOTE ON SUBSTITUTE MOTION:** A roll call vote was requested on the Substitute Motion. The Substitute Motion **failed, 1 aye, 16 nay, 1 absent and excused. Voting in favor** of the Substitute Motion: **Rep. Nielsen. Voting in opposition** to the Substitute Motion: **Reps. Shirley, Trail, Block, Chadderdon, Shepherd, Wills, Marriott, Thayn, Hartgen, Bateman, Boyle, DeMordaunt, Nessel, Pence, Cronin and Chairman Nonini.** Absent/Excused: **Rep. Chew.**

**ROLL CALL VOTE ON ORIGINAL MOTION:** A roll call vote was requested on the original motion. Original motion **passed, 14 aye, 3 nay, 1 absent and excused. Voting in favor** of the Substitute Motion: **Reps. Shirley, Trail, Block, Chadderdon, Shepherd, Wills, Marriott, Thayn, Hartgen, Bateman, Boyle, DeMordaunt, Nessel and Chairman Nonini. Voting in opposition** to the Substitute Motion: **Reps. Nielsen, Pence and Cronin.** Absent/Excused: **Rep. Chew. Chairman Nonini** will sponsor the bill on the floor.

**Vice Chairman Shirley** returned the gavel to **Chairman Nonini**. **Rep. Trail** introduced **Dr. Duane Nellis**, president of the University of Idaho (U of I).

**Dr. Nellis** informed the Committee that U of I has continued to be top ranked even during the financial downturn on several different lists. Dr. Nellis stated that although one third of freshmen are first generation college students, only 7.6% of students need remediation in math and English. Dr. Nellis highlighted the university's efforts to increase the number of students studying the STEM fields and mentioned various collaborative partnerships the U of I has in areas of technology, Micron being the chief partner. Dr. Nellis informed the Committee of efforts being made to reduce costs, including deferring \$200 million dollars worth of maintenance, eliminating 35 programs, increasing student fees and reducing the number of departments.

In response to a question about placement rates among U of I graduates, **Dr. Nellis** stated that the latest numbers showed 87% of graduates entering the work force or going on to graduate school, and he noted the strong internship programs available to U of I students that help ensure job placement upon graduation. In response to request to describe the new natural resources project, Dr. Nellis stated that a new Dean has been hired and the goal of the project is to continue harvesting natural resources, but with a focus on sustainability and economic prosperity for the state.

In response to an inquiry of the status of the Livestock Center in southern Idaho, **Dr. Nellis** responded that there had been funding in the state budget two years ago but those funds were removed last year. Currently private investment and other means are being used to raise enough money to open the Center, emphasizing the potential economic benefit to Idaho's dairy and beef industries.

In answering a question regarding efforts of U of I to create economic development in the manufacturing sector, **Dr. Nellis** informed the Committee that a new laser technology program is in its beginning stages at the Post Falls U of I location. This program was modeled after highly successful programs in Utah. Dr. Nellis expects the new partnerships created through this program to incubate new businesses in Idaho.

**ADJOURN:** There being no further business to come before the Committee, the meeting was adjourned at 10:21 a.m.

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Representative Nonini  
Chair

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Amber Messa  
Secretary

**AMENDED #1 AGENDA  
HOUSE EDUCATION COMMITTEE  
9:00 A.M.  
Room EW41  
Thursday, February 03, 2011**

<b>SUBJECT</b>	<b>DESCRIPTION</b>	<b>PRESENTER</b>
<a href="#"><u>H 51</u></a>	Sick leave	Mark Browning, State Board of Education
<a href="#"><u>RS20260C1</u></a>	Reagan Anniversary	Reps. Hartgen, Bateman
<a href="#"><u>RS20282</u></a>	Public Monies, Right to Work	Chairman Nonini
<a href="#"><u>RS20284</u></a>	Employee Duties	Chairman Nonini

***If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman Nonini  
Vice Chair Shirley  
Rep Trail  
Rep Block  
Rep Nielsen  
Rep Chadderdon  
Rep Shepherd  
Rep Wills  
Rep Marriott  
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Rep Pence  
Rep Chew  
Rep Cronin

COMMITTEE SECRETARY

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MINUTES  
**HOUSE EDUCATION COMMITTEE**

**DATE:** Thursday, February 03, 2011

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

**PLACE:** Room EW41

**MEMBERS:** Chairman Nonini, Vice Chairman Shirley, Representative(s) Trail, Block, Nielsen, Chadderdon (Chadderdon), Shepherd, Wills, Marriott, Thayn, Hartgen, Bateman, Boyle, DeMordaunt, Nessel, Pence, Chew, Cronin

**ABSENT/  
EXCUSED:** Representative(s) Block

**GUESTS:** Dave Whaley, Idaho American Federation of Labor and Congress of Industrial Organizations (IAFL-CIO); Cindy Hedge, IAFL-CIO; Sherri Wood, Idaho Education Association; Tracie Bent, State Board of Education (OSBE); Garry Lough, Idaho Education Network; Phil Homer, Idaho Association of School Administrators; Harold Ott, Idaho Rural Schools Association; Matthew Malek, Risch Pisca PLLC; Jessie Bonner, Associated Press; Jess Harrison, Idaho School Boards Association; Ken Burgess, Idaho Charter School Network; Jenn Ford; Robin Nettinga, IEA; Steve and Marsha Smylie and Boise State Students; Michael Bouton, National Association of Health Underwriters; Bert Marley, IEA; Fairy Hitchcock, Hitchcock Family Advocates; Branden Durst

**Chairman Nonini** called the meeting to order at 9:02 a.m.

**MOTION:** **Rep. Pence** moved to approve the minutes of February 2nd; **motion carried on voice vote.**

**H 51:** **Tracie Bent** presented **H 51**, which gives local school districts to set regulations regarding proof of illness by striking language from the current rule.

**MOTION:** **Rep. Wills** moved to send **H 51** to the floor with a **DO PASS** recommendation; **motion carried on voice vote.** Rep Wills will sponsor the bill on the floor.

**RS 20260C1:** **Rep. Hartgen** presented **RS20260C1**, a joint proclamation to celebrate the 100th anniversary of Ronald Reagan's birthday. Rep. Hartgen gave an overview of Reagan's life and accomplishments.

**MOTION:** **Rep. Bateman** moved to introduce **RS20260C1**, with corrections made to remove the word "hundred" on line 8, and to send it directly to the second reading calendar; **motion carried on voice vote.** **Reps. Hartgen and Bateman** will sponsor the bill on the floor. **Reps. Chew and Cronin** requested to be recorded as voting against the motion.

**RS 20284:** **Rep. DeMordaunt** presented **RS 20284**, proposed legislation that would ensure that teachers are paid for only the job duties listed in their job description.

In response to a request for greater explanation of what problem this legislation addresses, **Rep. DeMordaunt** replied that at times a school may remove a teacher from the classroom and have them recruit or provide educational training on behalf of a labor organization, while still being paid from Full Time Equivalent (FTE) funds. Rep. DeMordaunt added that specific examples of why this legislation is needed will be given during the print hearing. In response to comments made about private sector employees being encouraged to participate in work organizations, and often compensated for participation in training provided by such organizations, Rep. DeMordaunt replied that teachers receive professional development training from a variety of sources and that during tough economic times, FTE funds should go where they will make the most difference, in the classroom.

**MOTION:** **Rep. Thayne** moved to introduce **RS 20284**; **motion carried on voice vote**. **Reps. Trail, Pence, Chew and Cronin** requested to be recorded as voting against the motion.

**Chairman Nonini** handed the gavel over to **Vice Chairman Shirley**.

**RS 20282:** **Chairman Nonini** presented **RS 20282**, proposed legislation that would make the payments of public monies to labor organizations unlawful.

In response to a request for specific or anecdotal examples of when public funds were being paid to labor organizations, **Chairman Nonini** responded that he had been told anecdotally that Boise schools use a \$495 stipend to pay the Idaho Education Association (IEA) for professional development. He added that the use of funds for professional development need to be monitored to ensure they are not being used to fund member dues instead.

In response to concerns that professional development was not mentioned in this proposal, thereby making it illegal for labor organizations to conduct professional development workshops should this bill pass, **Chairman Nonini** stated that private funds would still be allowed to pay for professional development. In addressing a concern of the vagueness of wording, Chairman Nonini replied that he believed the wording was adequate and being too descriptive was impossible, as future incidents could not be predetermined.

In answering a question on how funds would be monitored, **Chairman Nonini** stated that the books of political subdivisions could be checked as needed.

In commenting on questions relating to professional development, **Rep. DeMordaunt** recommended that labor organizations go through other agencies in order to provide professional development, to maintain transparency for tax payers.

In response to requests for greater details and specifications of this proposal to address concerns of the effect of this proposal on professional development, **Chairman Nonini** informed the Committee that examples and further research will be provided at the bill hearing.

**MOTION:** **Rep. Shepherd** moved to introduce **RS 20282**; **motion carried on voice vote**. **Reps. Pence, Chew and Cronin** requested to be recorded as voting against the motion.

**ADJOURN:** There being no further business to come before the Committee, the meeting was adjourned at 9:47 a.m.

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Representative Nonini  
Chair

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Amber Messa  
Secretary

AGENDA  
HOUSE EDUCATION COMMITTEE  
9:00 A.M.  
Room EW41  
Monday, February 07, 2011

<b>SUBJECT</b>	<b>DESCRIPTION</b>	<b>PRESENTER</b>
<a href="#"><u>RS20249</u></a>	School Board Trustee training	Rep. Jaquet
<a href="#"><u>RS20250</u></a>	School Trustee Honorarium	Rep. Jaquet
<a href="#"><u>H 78</u></a>	Mastery Advancement Pilot Program	Rep. Thayn

***If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman Nonini  
Vice Chair Shirley  
Rep Trail  
Rep Block  
Rep Nielsen  
Rep Chadderdon  
Rep Shepherd  
Rep Wills  
Rep Marriott  
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Rep Pence  
Rep Chew  
Rep Cronin

COMMITTEE SECRETARY

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MINUTES  
**HOUSE EDUCATION COMMITTEE**

**DATE:** Monday, February 07, 2011

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

**PLACE:** Room EW41

**MEMBERS:** Chairman Nonini, Vice Chairman Shirley, Representative(s) Trail, Block, Nielsen, Chadderdon (Chadderdon), Shepherd, Wills, Marriott, Thayn, Hartgen, Bateman, Boyle, DeMordaunt, Nessel, Pence, Chew, Cronin

**ABSENT/  
EXCUSED:** Representative(s) Block

**GUESTS:** Matthew Malek, Risch-Pisca PLLC; Harold Ott, Idaho Rural Schools Association; Phillip Homer, Idaho Association of School Administrators (IASA); Sherri Wood, Idaho Education Association (IEA); Shannon Hohl; Alysha Prisbrey; Ben Botkin, Times News; Mark Browning, State Board of Education; Jessie Bonner, Associated Press; Jess Harrison, Idaho School Boards Administrators; Luci Willits, Department of Education; Suzanne Budge, SBS Associates LLC

**Chairman Nonini** called the meeting to order at 9:04 a.m.

**MOTION:** **Rep. Thayn** moved to approve the minutes from February 3rd; **motion carried on voice vote.**

**RS 20249:** **Rep. Jaquet** presented **RS 20249**, proposed legislation that would require all new elected school trustees to attend training within twelve months of appointment. Rep. Jaquet added that the training curriculum will be provided by the Idaho School Boards Association and the State Department of Education, and that both parties have been consulted in this matter. Rep. Jaquet mentioned that currently training is offered but attendance is voluntary.

In response to questions regarding the twelve month time frame, **Rep. Jaquet** stated that one year should be sufficient time to attend the training, as several will be offered throughout the year in connection with other meetings that trustees usually attend. Rep. Jaquet added that one year will also give trustees an opportunity to attend the annual state conference, where the training will also be offered.

Regarding the question of why a penalty was not included, **Rep. Jaquet** stated that they had decided it would be unfair to impose a penalty if trustees did not attend the training, and hoped that fellow trustees would encourage their peers to attend. In response to Committee questions, Rep. Jaquet added that more information regarding the percentage of trustees who do not attend voluntary sessions, the reasons for not attending, and the differences among those who attend training and those who do not would be provided at the bill hearing.

**MOTION:** **Vice Chairman Shirley** moved to introduce **RS 20249**.

**SUBSTITUTE MOTION:** **Rep. Marriott** offered a Substitute Motion to **HOLD RS 20249** in committee.

**ROLL CALL VOTE ON SUBSTITUTE MOTION:** A roll call vote was requested on the Substitute Motion. The Substitute Motion **failed, 5 aye, 12 nay, 1 absent and excused. Voting in favor** of the Substitute Motion: **Reps. Nielsen, Chadderdon, Shepherd, Marriott and Bateman. Voting in opposition** to the Substitute Motion: **Reps. Shirley, Trail, Wills, Thayn, Hartgen, Boyle, DeMordaunt, Nessel, Pence, Chew, Cronin and Chairman Nonini.** Absent /Excused: **Rep. Block.**

**VOTE ON ORIGINAL MOTION:**

**Chairman Nonini** called for a vote on the original motion, to introduce **RS 20249**; **motion carried on voice vote**. Reps. Shepherd, Marriott, Bateman, Nielsen and Chadderdon requested that they be recorded as voting in opposition to the motion.

**RS 20250:**

**Rep. Jaquet** presented **RS 20250**, proposed legislation that would give school districts the option to compensate school trustees with a \$75 honorarium per month. Rep. Jaquet stated that school board members believed this to be fair, as it uses permissive language which does not require districts to pay the honorarium if they do not want to.

In response to a question regarding current compensation for trustees, **Rep. Jaquet** responded that there may be some compensation for attending the annual conference, but that attendance of monthly and other meetings is currently not compensated.

**MOTION:**

**Rep. Marriott** moved to return **RS 20250** to sponsor; **Motion carried on voice vote**.

**H 78:**

**Rep. Thayne** presented **H 78**, which would strike language from the Master Advancement Pilot Program (MAPP) bill from last year. This would keep the 21 school district cap but allow for some smaller north Idaho schools that enrolled to participate.

In response to Committee concerns regarding the application deadline. **Luci Willits**, with the Department of Education, responded that MAPP has a 6 year sunset, at which time the program will be reevaluated.

Responding to a question regarding program rules, and the maximum number of schools allowed to participate, **Ms. Willits** replied that the rules are approved and the program has been satisfactory thus far and that the Department of Education would be happy to accept new applicants, due to the hesitance of some schools to apply before seeing the rules. Ms. Willits explained that there was a timing issue last year and the deadline to apply was before schools were able to see the program rules.

**MOTION:**

**Rep. Wills** moved to send **H 78** to the floor with a **DO PASS** recommendation. **Motion carried on voice vote**.

**ADJOURN:**

There being no further business to come before the Committee, the meeting was adjourned at 9:48 a.m.

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Representative Nonini  
Chair

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Amber Messa  
Secretary

AGENDA  
HOUSE EDUCATION COMMITTEE  
9:00 A.M.  
Room EW41  
Tuesday, February 08, 2011

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SUBJECT	DESCRIPTION	PRESENTER
<a href="#">RS20306</a>	Kindergarten Support Units	Rep. Thayn

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***If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman Nonini  
Vice Chair Shirley  
Rep Trail  
Rep Block  
Rep Nielsen  
Rep Chadderdon  
Rep Shepherd  
Rep Wills  
Rep Marriott  
Rep Thayn  
Rep Hartgen  
Rep Bateman  
Rep Boyle  
Rep DeMordaunt  
Rep Nessel  
Rep Pence  
Rep Chew  
Rep Cronin

COMMITTEE SECRETARY

Amber Messa  
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MINUTES  
**HOUSE EDUCATION COMMITTEE**

**DATE:** Tuesday, February 08, 2011

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

**PLACE:** Room EW41

**MEMBERS:** Chairman Nonini, Vice Chairman Shirley, Representative(s) Trail, Block, Nielsen, Chadderdon (Chadderdon), Shepherd, Wills, Marriott, Thayn, Hartgen, Bateman, Boyle, DeMordaunt, Nessel, Pence, Chew, Cronin

**ABSENT/  
EXCUSED:** Representative(s) Trail, Shepherd

**GUESTS:** Dustin Hurst, Idaho Reporter; Matthew Malek, Risch-Pisca PLLC; Phillip Homer, Idaho Association of School Administrators (IASA); Harold Ott, Idaho Rural Schools Association; Mike Sharp, IDLC; Jessie Bonner, Associated Press; Luci Willits, Department of Education; Mark Browning, State Board of Education; Robin Nettinga, Idaho Education Association (IEA)

**Chairman Nonini** called the meeting to order at 9:02 a.m.

**MOTION:** **Rep. Pence** moved to approve the minutes of February 7th; **motion carried on voice vote.**

**RS 20306:** **Rep. Thayn** presented **RS 20306**, proposed legislation to change funding of kindergarten classes by reducing funding to one third the amount, an action that would save the general fund \$33 million. **Rep. Thayn** explained that under this legislation, high performing students would not need to attend kindergarten more than a few weeks, and money can go to focus on low performing and at risk students.

In response to Committee questions, **Rep. Thayn** stated that although school districts would receive less money, the money they would normally receive for kindergarten would come from discretionary funds instead of the general fund, giving school districts greater flexibility on how they spend the money. **Rep. Thayn** gave examples of how there would be greater flexibility, noting that schools could choose to spend money on parental education/involvement programs instead of instruction time and that schools could choose the time of year that kindergarten classes were offered.

In response to Committee concerns regarding all students returning as first graders at the same level after receiving varying amounts of kindergarten education, **Rep. Thayn** stated that this would not be an issue with students who's parents are committed to education, and parental involvement needs to be increased at the lower levels so students do not become disengaged with school as they get older.

Regarding the Common Core Standards (CCS), **Rep. Thayn** replied that he would address how this proposal would ensure students met CCS goals while receiving less kindergarten instruction during the full hearing.

In response to a question regarding class size and ratio, **Rep. Thayn** stated that if the number of involved parents is increased, the proposed class size increase of the educational reforms will be less of a concern.

Responding to a question regarding how to increase the asset of parent involvement, **Rep. Thayn** stated that if the school provides less, more will be expected from parents, and this legislation gives parents an opportunity to step up and help the school districts.

**MOTION:** **Rep. Nielsen** moved to introduce **RS 20306**.

**SUBSTITUTE MOTION:** **Rep. Cronin** offered a Substitute Motion to **return RS 20306 to sponsor** stating that this legislation sounded like a cost saving measure but would simply shift costs from the state to parents.

In defense of the Substitute Motion, **Rep. Thayn** commented that kindergarten should be used for academic enrichment, not as a day care, and stated that cheaper teachers could be hired to provide day care if that were the case.

**VOTE ON SUBSTITUTE MOTION:** **Chairman Nonini** called for a vote on the Substitute Motion, to return **RS 20306 to sponsor; motion failed on voice vote.**

**VOTE ON MOTION:** **Chairman Nonini** called for a vote on the Original Motion, to introduce **RS 20306; motion carried on voice vote.**

**ADJOURN:** There being no further business to come before the Committee, meeting was adjourned at 9:33 a.m.

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Representative Nonini  
Chair

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Amber Messa  
Secretary

AGENDA  
HOUSE EDUCATION COMMITTEE  
9:00 A.M.  
Room EW41  
Wednesday, February 09, 2011

SUBJECT	DESCRIPTION	PRESENTER
<a href="#">H 105</a>	Bureau Educational Services Deaf/Blind	Rep. Jaquet

***If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman Nonini  
Vice Chair Shirley  
Rep Trail  
Rep Block  
Rep Nielsen  
Rep Chadderdon  
Rep Shepherd  
Rep Wills  
Rep Marriott  
Rep Thayn  
Rep Hartgen  
Rep Bateman  
Rep Boyle  
Rep DeMordaunt  
Rep Nessel  
Rep Pence  
Rep Chew  
Rep Cronin

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MINUTES  
**HOUSE EDUCATION COMMITTEE**

**DATE:** Wednesday, February 09, 2011

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

**PLACE:** Room EW41

**MEMBERS:** Chairman Nonini, Vice Chairman Shirley, Representative(s) Trail, Block, Nielsen, Chadderdon (Chadderdon), Shepherd, Wills, Marriott, Thayn, Hartgen, Bateman, Boyle, DeMordaunt, Nessel, Pence, Chew, Cronin

**ABSENT/  
EXCUSED:** Representative(s) Trail, Bateman, Boyle

**GUESTS:** Joanna Guilfooy, AG/PERSI; Harold Ott, Idaho Rural Schools Association (IRSA); Phillip Homer, Idaho Association of School Administrators (IASA); Mark Browning, State Board of Education; Alysha Prisbrey; Brian Darcy, Idaho Education Services for the Deaf and Blind (IESDB); Luci Willits, Department of Education; Sherri Wood, Idaho Education Association (IEA); Buck Wright, IEA; Pam Danielson, IEA; Jim Engledow, IEA; Jill Schmidt, IEA; Amanda Schmidt, IEA; Alex Church, IEA; Rebecca Price, IEA; Patricia Borchers, IEA; Carly Bean, IEA; Richard Belfor, Division of Financial Management

**Chairman Nonini** called the meeting to order at 9:04 a.m.

**MOTION:** **Rep. Thayn** moved to approve the minutes from February 8th; **motion carried on voice vote.**

**H 105:** **Rep. Jaquet** presented **H 105**, which saves the state \$15,000 by changing the status of the Idaho Educational Services for the Deaf and Blind (IESDB) from a governmental entity to that of a state PERSI employer. Rep. Jaquet explained that prior to 2009, IESDB was a state employer, and all its employees were mandatory PERSI participants. After 2009, employees and the IESDB believed they were still PERSI participants and continued paying the same amount of money to PERSI. However, now the IESDB must now negotiate a contract with PERSI and pay an actuarial entry cost of \$15,000 to reinstate the same benefits to the same employees as previously. This bill would eliminate the entry cost without changing the benefits or contributions of the IESDB and its employees.

**MOTION:** **Rep. Wills** moved to send **H 105** to the floor with a **DO PASS** recommendation; **motion carried on voice vote.** Reps. Jaquet and Pence will co-sponsor the bill on the floor.

In response to general questions regarding the IESDB, **Brian Darcy**, the IESDB Administrator, informed the Committee that the ratio of hearing impaired to visually impaired students served is roughly 60:40. Mr. Darcy added that the residential program of the IESDB is currently not at capacity and continues to grow.

Responding to a question regarding community support, **Mr. Darcy** stated that the town of Gooding has been very supportive. Mr. Darcy commented that Gooding still has room to grow and therefore has no major difficulties accommodating parents who choose to relocate while their children attend the IESDB campus.

**ADJOURN:** There being no further business to come before the Committee, the meeting was adjourned at 9:17 a.m.

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Representative Nonini  
Chair

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Amber Messa  
Secretary

AGENDA  
HOUSE EDUCATION COMMITTEE  
9:00 A.M.  
Room EW41  
Monday, February 14, 2011

<b>SUBJECT</b>	<b>DESCRIPTION</b>	<b>PRESENTER</b>
<a href="#"><u>H 104</u></a>	Classroom Duties	Rep. DeMordaunt
<a href="#"><u>RS19997</u></a>	Education Board Executive Director	Mark Browning
<a href="#"><u>RS19998</u></a>	Idaho State University, training school	Mark Browning
<a href="#"><u>RS20022</u></a>	Community Colleges, ORP/PERSI	Mark Browning

***If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman Nonini  
Vice Chair Shirley  
Rep Trail  
Rep Block  
Rep Nielsen  
Rep Chadderdon  
Rep Shepherd  
Rep Wills  
Rep Marriott  
Rep Thayn  
Rep Hartgen  
Rep Bateman  
Rep Boyle  
Rep DeMordaunt  
Rep Nessel  
Rep Pence  
Rep Chew  
Rep Cronin

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MINUTES  
**HOUSE EDUCATION COMMITTEE**

**DATE:** Monday, February 14, 2011

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

**PLACE:** Room EW41

**MEMBERS:** Chairman Nonini, Vice Chairman Shirley, Representative(s) Trail, Block, Nielsen, Chadderdon (Chadderdon), Shepherd, Wills, Marriott, Thayn, Hartgen, Bateman, Boyle, DeMordaunt, Nessel, Pence, Chew, Cronin

**ABSENT/  
EXCUSED:** Representative(s) Trail, Nielsen

**GUESTS:** Mark Browning, State Board of Education (SBOE); Tracie Bent, SBOE; Charles Hasse, Citizen; Bert Marley, Idaho Education Association (IEA); Phil Homer, Idaho Association of School Administrators; Harold Ott, Idaho Rural Schools Association; Wayne Hoffman, Idaho Freedom Foundation; Jessie Bonner, Associated Press; Sherri Wood, IEA; Jessica Harrison, , Idaho School Boards Administrators; Steven Becker, Nez Perce Soil and Water Conservation District (NPSWCD); Kyle Wilson, NPSWCD; Luci Willits, State Department of Education; Jon Foster

**Chairman Nonini** called the meeting to order at 9:02 a.m. and announced that H 104 would be moved to the February 16th agenda.

**MOTION:** **Rep. Pence** moved to approve the minutes from February 9th; **motion carried on voice vote.**

**RS 19997:** **Mark Browning**, with the State Board of Education (SBOE), presented **RS 19997**, legislation which would strike language limiting the amount of time the SBOE can "borrow" an employee from a state university. Currently, the SBOE borrows qualified higher education personnel to fill 2-3 vacant positions out of the 21 total SBOE staff. Mr. Browning mentioned that taking a position with SBOE is often desired to build résumés and to gain administrative work experience

In response to questions regarding benefits, **Mr. Browning** replied that the SBOE pays the staff's salary and benefits during employment with the SBOE and a PERSI representative would be present, should the bill be printed, to answer in depth questions regarding employer contributions.

Regarding Committee concerns about leaving an open time frame to borrow staff, and the lack of specifically mentioning higher education institutions. **Browning** informed the Committee that he would do more research to find out why the time period of 6 months was chosen in the first place. He also assured the Committee that only qualified applicants were selected for SBOE positions.

**MOTION:** **Rep. Wills** moved to introduce **RS 19997**; **motion carried on voice vote.**

**RS 19998:** **Mr. Browning** presented **RS 19998**, legislation that would eliminate the code requiring Idaho State University (ISU) to have a model training school. Mr. Browning explained that the code requires an elementary school to be present on campus for the purpose of training student teachers. Mr. Browning added that it is more effective to send student teachers out into the public to gain their student teaching experience and that a model training school is no longer used at ISU.

**MOTION:** **Rep. Bateman** moved to introduce **RS 19998**; **motion carried on voice vote.**

**RS 20022:** **Mr. Browning** presented **RS 20022**, proposed legislation to redirect the 3.83% employee contribution from PERSI to the Optional Retirement Plan (ORP), as of the July 1st sunset, allowing employee benefit accounts to continue accumulating at the same rate.

**MOTION:** **Rep. Marriott** moved to introduce **RS 20022**; **motion carried on voice vote.**

**ADJOURN:** There being no further business to come before the Committee, the meeting was adjourned at 9:22 a.m.

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Representative Nonini  
Chair

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Amber Messa  
Secretary

MINUTES  
**HOUSE EDUCATION COMMITTEE**

**DATE:** Monday, February 14, 2011

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

**PLACE:** Room EW41

**MEMBERS:** Chairman Nonini, Vice Chairman Shirley, Representative(s) Trail, Block, Nielsen, Chadderdon (Chadderdon), Shepherd, Wills, Marriott, Thayn, Hartgen, Bateman, Boyle, DeMordaunt, Nessel, Pence, Chew, Cronin

**ABSENT/  
EXCUSED:** Representative(s) Trail, Nielsen

**GUESTS:** Mark Browning, State Board of Education (SBOE); Tracie Bent, SBOE; Charles Hasse, Citizen; Bert Marley, Idaho Education Association (IEA); Phil Homer, Idaho Association of School Administrators; Harold Ott, Idaho Rural Schools Association; Wayne Hoffman, Idaho Freedom Foundation; Jessie Bonner, Associated Press; Sherri Wood, IEA; Jessica Harrison, , Idaho School Boards Administrators; Steven Becker, Nez Perce Soil and Water Conservation District (NPSWCD); Kyle Wilson, NPSWCD; Luci Willits, State Department of Education; Jon Foster

**Chairman Nonini** called the meeting to order at 9:02 a.m.

**MOTION:** **Rep. Pence** moved to approve the minutes from February 9th; **motion carried on voice vote.**

**RS 19997:** **Mark Browning**, with the State Board of Education (SBOE), presented **RS 19997**, legislation which would strike language limiting the amount of time the SBOE can "borrow" an employee from a state university. Currently, the SBOE borrows qualified higher education personnel to fill 2-3 vacant positions out of the 21 total SBOE staff. Mr. Browning mentioned that taking a position with SBOE is often desired to build résumés and to gain administrative work experience

In response to questions regarding benefits, **Mr. Browning** replied that the SBOE pays the staff's salary and benefits during employment with the SBOE and a PERSI representative would be present, should the bill be printed, to answer in depth questions regarding employer contributions.

Regarding Committee concerns about leaving an open time frame to borrow staff, and the lack of specifically mentioning higher education institutions. **Browning** informed the Committee that he would do more research to find out why the time period of 6 months was chosen in the first place. He also assured the Committee that only qualified applicants were selected for SBOE positions.

**MOTION:** **Rep. Wills** moved to introduce **RS 19997**; **motion carried on voice vote.**

**RS 19998:** **Mr. Browning** presented **RS 19998**, legislation that would eliminate the code requiring Idaho State University (ISU) to have a model training school. Mr. Browning explained that the code requires an elementary school to be present on campus for the purpose of training student teachers. Mr. Browning added that it is more effective to send student teachers out into the public to gain their student teaching experience and that a model training school is no longer used at ISU.

**MOTION:** **Rep. Bateman** moved to introduce **RS 19998**; **motion carried on voice vote.**

**RS 20022:** **Mr. Browning** presented **RS 20022**, proposed legislation to redirect the 3.83% employee contribution from PERSI to the Optional Retirement Plan (ORP), as of the July 1st sunset, allowing employee benefit accounts to continue accumulating at the same rate.

**MOTION:** Rep. **Marriott** moved to introduce **RS 20022**; motion carried on voice vote.

**ADJOURN:** There being no further business to come before the Committee, the meeting was adjourned at 9:22 a.m.

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Representative Nonini  
Chair

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Amber Messa  
Secretary

AGENDA  
HOUSE EDUCATION COMMITTEE  
8:30 A.M.  
Room EW41  
Tuesday, February 15, 2011

<b>SUBJECT</b>	<b>DESCRIPTION</b>	<b>PRESENTER</b>
	Boise State University, Higher Education presentation	Dr. Bob Kustra, Barbara Morgan
<a href="#"><u>RS20359</u></a>	Cosmetology Schools	Rep. Bateman

***If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman Nonini  
Vice Chair Shirley  
Rep Trail  
Rep Block  
Rep Nielsen  
Rep Chadderdon  
Rep Shepherd  
Rep Wills  
Rep Marriott  
Rep Thayn  
Rep Hartgen  
Rep Bateman  
Rep Boyle  
Rep DeMordaunt  
Rep Nessel  
Rep Pence  
Rep Chew  
Rep Cronin

COMMITTEE SECRETARY

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MINUTES  
**HOUSE EDUCATION COMMITTEE**

- DATE:** Tuesday, February 15, 2011
- TIME:** 8:30 A.M.
- PLACE:** Room EW41
- MEMBERS:** Chairman Nonini, Vice Chairman Shirley, Representative(s) Trail, Block, Nielsen, Chadderdon (Chadderdon), Shepherd, Wills, Marriott, Thayn, Hartgen, Bateman, Boyle, DeMordaunt, Nessel, Pence, Chew, Cronin
- ABSENT/  
EXCUSED:** None
- GUESTS:** Harold Ott, Idaho Rural Schools Association; Phillip Homer, Idaho Association of School Administrators (IASA); Matthew Malek, Risch-Pisca PLLC; Erik Makrush, Idaho Freedom Foundation; Janine Rush-Byers, Micron Foundation; Sherri Wood, Idaho Education Association; Frank Zang, Boise State University (BSU); Courtney Kirchner, BSU; Kris Ellis, Cosmetology Schools; Dr. Bob Kustra, BSU; Barbara Morgan, BSU; Mike Reynoldson, Micron
- Chairman Nonini** called the meeting to order at 8:34 a.m. and announced that the order of presenters on the agenda would be switched.
- RS 20359:** **Rep. Bateman** presented **RS 20359**, legislation that would define a licensed cosmetologist studying to be a cosmetology teacher as a "licensed trainee". Currently they are listed as students, which affects the student to teacher ratio of 20 to 1.
- MOTION:** **Vice Chairman Shirley** moved to introduce **RS 20359**; **motion carried on voice vote.**
- Dr. Bob Kustra**, president of Boise State University (BSU), informed the Committee of several measures BSU is taking to ensure student success. Dr. Kustra mentioned that BSU is on board to help meet the state's goal of having 60% of Idahoans aged 25-34 achieve a four year degree, and stated that BSU has seen a 12% increase in enrollment and a 27% increase in transfer students, due in large part to the success of the College of Western Idaho (CWI). Dr. Kustra presented the findings of a study done by an outside agency regarding per student funding, which showed that BSU receives the least amount from the state general fund per student than other institutions. Dr. Kustra also discussed increasing the number of online courses, evening and weekend courses and summer/inter-session courses and the importance of increasing technology in the classrooms, highlighting the current on campus uses of mobile devices such as the iPad.
- Barbara Morgan** presented the IDoTeach program, which is modeled after the UTeach program of the University of Texas in Austin (UT). UT discovered that many students were entering college as teaching majors but chose not to teach upon graduation. Their studies showed that many students were becoming frustrated with the lack of in classroom time and hands on training, which was only occurring during their final year in college. The UTeach program resolved this issue by offering two courses during the first two years of college, which took students directly into local classrooms and provided them with a mentor, who was also a distinguished STEM teacher. Ms. Morgan highlighted the need for such a program, as Idaho institutions are not graduating enough math and science teachers meet future demands. The IDoTeach Program would recruit motivated and passionate students and support them through college to become effective teachers.

Regarding a question about student preparedness to use technology in the classrooms, **Dr. Kustra** replied that students seem to have no problem adapting to greater technology and have the knowledge needed to use new tools in the classroom, even if they do not personally own the mobile devices used in the classroom. Dr. Kustra stated that it is more challenging to train faculty and staff to use new technology as part of their curriculum.

In regards to a question about the reason behind the lack of students interested in teaching STEM fields, **Ms. Morgan** stated that the experiences of young students greatly impacts their perceptions of the STEM fields. **Dr. Kustra** added that colleges cannot disinterest students by limiting hands on experience to seniors only and must connect the passion of science and math to the classroom.

Regarding the opportunity for internships, **Ms. Morgan** discussed the STEM station at BSU, which brings faculty together to provide research opportunities and internships for students in the STEM fields.

**Chairman Nonini** turned the gavel over to **Vice Chairman Shirley**.

Responding to a question regarding how IDoTeach would be funded, **Ms. Morgan** stated that BSU has received a generous grant from Micron to start the program, and is seeking other private donations. Ms. Morgan mentioned that an endowment fund would be ideal to continue funding the need for increased technology.

Regarding a question about enrollment numbers and retaining students, **Ms. Morgan** stated that programs modeled after UTeach have seen above expected enrollment, and that many times students were turned away until adequate funding was received. Ms. Morgan added that the UTeach program expects a certain number of students to not enter the teaching field, but provides mentors and a strong support network during the first two years of teaching to ensure graduates have the knowledge and skills need to succeed in the classroom.

In response to a question regarding the lack of collaboration among institutions, **Dr. Kustra** stated that a task force for teaching technology has been created at BSU. Dr. Kustra added that the mentality among institutions, faculty and staff has not adapted as quickly as it should regarding technology in the classroom but that BSU is working to embrace technology and is even considering the institutionalization of the iPad.

In a response to a question regarding how to get teachers on board with the proposed education reforms, **Ms. Morgan** stated that collaboration is key, and that all parties need to work together.

Responding to a question regarding the time line of the IDoTeach program, **Ms. Morgan** stated that BSU will be turning in a proposal to the UTeach Institute by April 15, 2011.

In response to a question regarding what BSU would do if the allotment of general fund monies was adjusted, **Dr. Kustra** stated that any additional funds would go into the creation of new sections for core courses, as they are the first to experience class size increases and can slow the process of graduating students if they are unable to enroll in a needed core class.

**ADJOURN:** There being no further business to come before the Committee, the meeting was adjourned at 9:57 a.m.

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Representative Nonini  
Chair

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Amber Messa  
Secretary

AGENDA  
HOUSE EDUCATION COMMITTEE  
9:00 A.M.  
Room EW41  
Wednesday, February 16, 2011

SUBJECT	DESCRIPTION	PRESENTER
	Public Charter Schools Commission presentation	Bill Goesling
<a href="#">H 104</a>	Classroom Duties	Rep. DeMordaunt

***If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman Nonini  
Vice Chair Shirley  
Rep Trail  
Rep Block  
Rep Nielsen  
Rep Chadderdon  
Rep Shepherd  
Rep Wills  
Rep Marriott  
Rep Thayn  
Rep Hartgen  
Rep Bateman  
Rep Boyle  
Rep DeMordaunt  
Rep Nessel  
Rep Pence  
Rep Chew  
Rep Cronin

COMMITTEE SECRETARY

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MINUTES  
**HOUSE EDUCATION COMMITTEE**

**DATE:** Wednesday, February 16, 2011

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

**PLACE:** Room EW41

**MEMBERS:** Chairman Nonini, Vice Chairman Shirley, Representative(s) Trail, Block, Nielsen, Chadderdon (Chadderdon), Shepherd, Wills, Marriott, Thayn, Hartgen, Bateman, Boyle, DeMordaunt, Nessel, Pence, Chew, Cronin

**ABSENT/  
EXCUSED:** Representative(s) Block, Chadderdon (Chadderdon), Wills

**GUESTS:** Harold Ott, Idaho Rural Schools Association (IRSA); Phillip Homer, Idaho Association of School Administrators (IASA); Sherri Wood, Idaho Education Association (IEA); Gary Larsen, Nampa School District #131; Misty Koeppen, Nampa Education Association #131; Shannon Nicholson, Meridian Education Association; Robin Nettinga, IEA; John Rumel, IEA; Wayne Hoffman, Idaho Freedom Foundation; Tamara Baysinger, Public Charter School Commission (PCSC); Bill Goesling, PCSC; Michelle Taylor, State Department of Education (SDE); Gayann DeMordaunt, PCSC; Branden Durst; Matthew Malek, Risch-Pisca PLLC; Suzanne Budge, SBS Associates; Tom Stroschein, Latah County; Jessie Bonner, Associated Press; Karen Echeverria, Idaho School Boards Association; ; Luci Willits, Department of Education; Jason Hancock, SDE; Dawn Fazio, School District #281; Bert Marley, IEA

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

**MOTION:** **Rep. Thayn** moved to approve the minutes from February 14th; **motion carried on voice vote.**

**Rep. Trail** introduced **Dr. Bill Goesling**, and **Tamara Baysinger**, from the Public Charter Schools Commission (PCSC). Ms. Baysinger discussed the history and growth trends of the PCSC, and the cost and benefits of charter schools. Ms. Baysinger mentioned that brick and mortar charter schools continue to test at higher levels than public schools, while virtual charter schools performed lower than public schools. Ms. Baysinger concluded by informing the Committee how the PCSC provides oversight and ensures quality in charter schools and shared future goals of PCSC.

In response to a question regarding the waiting lists for charter schools, **Ms. Baysinger** responded that either public interest or the capacity of the PCSC to authorize schools needed to increase in order to serve more students that currently are on waiting lists. **Mr. Goesling** added that it is currently difficult to share best practices with school districts and the PCSC would like to see an expansion of collaboration which would help increase public interest.

Regarding a question involving the geographic distribution of charter schools, **Ms. Baysinger** informed the Committee that charter schools tend to be located in largely populated areas, however, there is a growing interest in rural areas and therefore a growing percentage of students on waiting lists from rural areas.

In response to constituent complaints received by Committee members, **Ms. Baysinger** stated that charter schools are funded in the same way as public schools, but because they are usually smaller, tend to receive more money per student. Ms. Baysinger added that accounting for the lack of levies, bonds and private funds shows that charter schools actually receive less money overall.

Responding to a question about special needs students, **Ms. Baysinger** replied that the percentage of special needs students tend to be lower in charter schools than in public schools, but are growing as parent knowledge grows. Ms. Baysinger informed the Committee that special education status is not factored in when considering students on the waiting list.

In response to a question regarding a recent newspaper article that stated that charter schools receive more Title I funding per student than public schools, **Ms. Baysinger** stated that she was unaware of the article but noted that charter schools are eligible for Title I funding, but many do not apply because they lack the extra staff needed to complete the lengthy paperwork process. Ms. Baysinger added that charter schools provide Title I services regardless of if they receive Title I funding.

Regarding a question about the reason for low performance in virtual charter schools, **Ms. Baysinger** stated that virtual school students are fairly transient, and enter with low scores to begin with, which may account for lower performance.

In response to a question regarding private investment, with mention of a Twin Falls charter school receiving an investment from a private, out of state donor, **Ms. Baysinger** replied that charter schools mainly rely on the public to find funds to build new charter schools, but do receive some federal and local grant monies. Ms. Baysinger added that federal grants are not allowed to be used for facilities costs and that Albertsons grants and other donations have been used for facilities costs instead. Twin Falls received an out of state investment because their charter school hired an outside accounting agency. Ms. Baysinger added that the PCSC currently includes financial experts so they evaluate the financial aspects of charter school proposals themselves.

Responding to a question asking how charter schools share best practice information, **Ms. Baysinger** replied that this currently does not happen as much as they would like because school districts haven't shown a great deal of interest in collaborating with charter schools. Ms. Baysinger added that sometimes competition brings interest, and noted a north Idaho virtual school that was known for serving students better than public virtual schools, which led to public schools "raising the bar." **Mr. Goesling** added that as part of the proposed education reforms, sharing information among virtual academies would help create a 21st Century Classroom.

**H 104:**

**Rep. DeMordaunt** presented **H 104**, proposed legislation that would ensure that teachers are paid for only the job duties listed in their job description. Rep. DeMordaunt stated that the Nampa Education Association (NEA) and the Nampa School District agreed to release the NEA president from classroom duties for one year, with the district paying \$52,978 toward salary and benefits, and one half of the costs of the replacement teacher. This also occurs in the Boise School District, with the district excusing the Boise Education Association President from teaching duties while still paying salary and benefits to the President during their term.

In response to a question asking if administrators were included as "employees," and if this bill restricts what they do outside of their school, **Rep. DeMordaunt** responded that attending professional development training or meetings to discuss topics such as school standards would be considered part of their job duties, however, recruiting on behalf of their labor organization would not.

Responding to concerns regarding vague wording and the potential limitations for teachers to attend subject-specific trainings (such as those held by science teacher associations), **Rep. DeMordaunt** stated that attending professional development would be considered as related to the job duties of a teacher and that the vague wording was done on purpose, as teaching encompasses many responsibilities.

Regarding a question of whether this bill would prohibit teachers from seeking other employment, **Rep. DeMordaunt** stated that this bill only refers to jobs within the districts, and would not interfere with teachers who are employed elsewhere, noting summer employment as an example.

Responding to concerns that this bill would take away power from local districts, **Rep. DeMordaunt** replied that this bill would give districts the ability to ensure the best education is given to students and prevent them from having to provide money for teachers who are not in the classroom.

In response to a comment that districts are not forced into contracts, and that it may benefit districts to have a staff member dedicated to being a liaison between the district and teachers' association, **Rep. DeMordaunt** stated that he was not disputing the important role association presidents play, only suggesting that their salaries be paid by someone else other than the taxpayers.

**Gary Larsen**, Superintendent of the Nampa School District, testified in opposition of **H 104**, stating that the NEA President plays an important role in the Nampa district, and in addition to providing teacher training, the NEA President sits on several committees and represents a voice for teachers, so they do not need to leave their classrooms to attend meetings. **Misty Koeppen**, NEA President, added that she fills in for teachers as a substitute as needed, and during budget cuts the committee voted against eliminating her position.

**Chairman Nonini** reassured **Mr. Larsen** and **Ms. Koeppen** that the Committee did not disagree with the importance of having an association president on staff at the school districts, and that this bill did not eliminate such positions but addressed who funds such positions.

In response to Committee questions regarding the role of the Idaho Education Association (IEA) in working with ineffective teachers, **Ms. Koeppen** stated that she mentors ineffective teachers after school, does classroom observations and also works with administrators to create a plan to address teacher improvement. **Ms. Koeppen** added that many of her duties as president are done after school hours, as opposed to her duties as a liaison between the district and the IEA, which are during the school day.

In response to Committee concern that tax payer dollars should not be used to help supply a well trained work-force, which is an union responsibility, **Ms. Koeppen** stated that her job includes aspects that are completely different from one another, such as training teachers and meeting with building representatives.

Regarding a question about what happens when a new president is elected, **Mr. Larsen** responded that **Ms. Koeppen's** two predecessors applied for teaching positions within the district, and added that if the newly elected president did not wish to be release from classroom instruction the district would not require them to.

In response to a question asking what the school district would do should this bill pass, **Mr. Larsen** stated that in he would ask the IEA for the funding to maintain this position.

**Chairman Nonini** indicated that voting on **H 104** would be postponed until tomorrow due to time constraints.

**ADJOURN:**

There being no further business to come before the Committee, the meeting was adjourned at 10:17 a.m.

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Representative Nonini  
Chair

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Amber Messa  
Secretary

**AMENDED #2 AGENDA  
HOUSE EDUCATION COMMITTEE  
8:30 A.M.  
Senate Auditorium WW02  
Thursday, February 17, 2011**

<b>SUBJECT</b>	<b>DESCRIPTION</b>	<b>PRESENTER</b>
<a href="#"><u>H 104</u></a>	Classroom duties - testimony continuation	Rep. DeMordaunt
<a href="#"><u>RS20395</u></a>	Public libraries/internet policy	Rep. Shirley
<a href="#"><u>H 118</u></a>	School district trustee training	Rep. Jaquet
	Presentation from School Board Trustees	Dallas Clinger, ISBA President

***If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman Nonini  
Vice Chair Shirley  
Rep Trail  
Rep Block  
Rep Nielsen  
Rep Chadderdon  
Rep Shepherd  
Rep Wills  
Rep Marriott  
Rep Thayn  
Rep Hartgen  
Rep Bateman  
Rep Boyle  
Rep DeMordaunt  
Rep Nessel  
Rep Pence  
Rep Chew  
Rep Cronin

COMMITTEE SECRETARY

Amber Messa  
Room: EW49  
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MINUTES  
**HOUSE EDUCATION COMMITTEE**

**DATE:** Thursday, February 17, 2011

**TIME:** 8:30 A.M.

**PLACE:** Senate Auditorium WW02

**MEMBERS:** Chairman Nonini, Vice Chairman Shirley, Representative(s) Trail, Block, Nielsen, Chadderdon (Chadderdon), Shepherd, Wills, Marriott, Thayn, Hartgen, Bateman, Boyle, DeMordaunt, Nessel, Pence, Chew, Cronin

**ABSENT/  
EXCUSED:** Representative(s) Block, Chadderdon (Chadderdon), Shepherd, Wills

**GUESTS:** Matthew Malek, Risch-Pisca PLLC; Luci Willits, Department of Education; Wayne Hoffman, Idaho Freedom Foundation; Janet Orndorff, School Board Trustee from Districts 292, 111, 271, 391, 231, 41, 131, 3, 52, 61, 135 and 83.

**Chairman Nonini** called the meeting to order at 8:36 a.m.

**MOTION:** **Rep. Pence** moved to approve the minutes from February 15, 2011; **motion carried on voice vote.**

**H 104:** **Rep. DeMordaunt** reiterated his statements from yesterday regarding **H 104**, proposed legislation that would only allow districts to pay staff for duties stated in their job descriptions.

**Sherri Wood**, Idaho Education Association (IEA), testified in opposition of **H 104**, stating that it takes control away from local school boards and the vagueness of the bill's language leaves room for unintended consequences.

**Wayne Hoffman**, with the Idaho Freedom Foundation (IFF), testified in favor of **H 104**, noting the IFF report on government waste and stating that taxpayers dollars should be used to pay teachers for the duties listed as part of their job description.

Regarding questions about the vagueness of bill language, **Mr. Hoffman** stated that he believed a change in language was needed but that the most important aspect was keeping taxpayer dollars in the classroom.

In response to questions regarding keeping control at the local level, **Mr. Hoffman** replied that since state money is involved, this bill would provide an opportunity to change state policy to better the Idaho education system. Mr. Hoffman added that no discretion is given at the local level to waste taxpayer dollars.

**Rep. DeMordaunt** closed by reiterating the need to ensure that taxpayer dollars are spent in the classroom, where they will be most effective. He stated that **H 104** would provide transparency and recommended the word "labor" be added on page 2, line 1, to read "labor union or labor associations."

In response to a question regarding the definition of union activity, **Rep. DeMordaunt** stated that school districts would be able to determine what constituted union activity and would have the ability to make changes to job descriptions as needed.

**MOTION:** **Rep. Hartgen** moved to send **H 104** to General Orders with amendments, adding the word labor on page two to read "labor union or labor association activities." **Vice Chairman Shirley** seconded the motion. **Motion carried on voice vote.** **Reps. Trail, Pence, Chew and Cronin** requested to that they be recorded as voting **NAY**.

**RS 20395:** **Vice Chairman Shirley** presented **RS 20395**, proposed legislation that would require additional safety measures to be implemented at Idaho public libraries. Vice Chairman Shirley explained that under the Children's Internet Protection Act (CIPA), public schools are required to provide filters to prevent students from seeing obscene and pornographic images and that this legislation would implement CIPA policies in public libraries. He noted that there would be separate requirements for adult and minor patrons, allowing for library staff to disable filters for adult patrons engaged in appropriate internet searches.

**MOTION:** **Rep. Marriott** moved to introduce **RS 20395**; **motion carried on voice vote**, with requests to hear from the Library Association regarding censorship at the bill hearing.

**H 118:** **Rep. Jaquet** presented **H 118**, legislation that would require newly elected school board trustees to attend training within 12 months of being elected. Rep. Jaquet discussed the current training modules and emphasized the need for trustees to be highly informed, especially if the proposed education reforms were passed.

In response to Committee questions regarding the training modules, **Rep. Jaquet** explained that the training modules were non-partisan, and dealt with topics important to trustees, such as collective bargaining and school finances. A total of three hours of training would be required under this bill, with many modules only taking ten minutes to complete. Rep. Jaquet added that there would be no penalty for not attending the mandated training, as she feels that peers will encourage each other to attend for the betterment of the Board.

**Dallas Clinger**, Idaho School Boards Association (ISBA) President, spoke in opposition of **H 118**, stating that most trustees already attend training already, and it was unnecessary to mandate attendance.

Regarding questions over the proposed education reforms, **Mr. Clinger** stated that the ISBA was prepared to educate trustees over new changes as needed.

**Luci Willits**, State Department of Education, testified in support of **H 118**, stating that training is required for all teachers and administrators and mandating training for trustees was not an unusual concept.

**Karen Echeverria**, Idaho State Board Association, responded to Committee questions about ISBA bylaws, stating that currently there are no policies or bylaws that require trustees to complete a certain amount of training. Ms. Echeverria added that the ISBA does have a Training Committee who meets regularly and will discuss what training needs to be done should the reform bills pass.

**MOTION:** **Rep. Hartgen** moved to **HOLD H 118** in committee; **motion carried on voice vote**.

**Mr. Clinger** explained the purpose and duties of the ISBA to the Committee and mentioned the results of a recent survey done regarding the proposed education reforms.

Responding to Committee questions regarding the 99% funding rule, **Mr. Clinger** stated that the money received by the districts for student attendance was not wasted but believes greater discussion needs to occur regarding this matter.

In response to a question regarding conducting teacher negotiations in public meetings, **Mr. Clinger** stated that 50% of trustees who responded to the survey were either in opposition or were neutral to the idea. Mr. Clinger added that a lawyer spoke to him and other trustees last night and commented on how districts that have implemented public hearings have preferred them instead holding private hearings.

Regarding questions over class size, **Mr. Clinger** stated that it would be difficult to re-configure the labor pool, as districts were already stretched thin, but that trustees were largely against increasing class sizes.

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

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Representative Nonini  
Chair

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Amber Messa  
Secretary

**AMENDED #1 AGENDA  
HOUSE EDUCATION COMMITTEE  
8:00 A.M.  
Room EW41  
Monday, February 21, 2011**

<b>SUBJECT</b>	<b>DESCRIPTION</b>	<b>PRESENTER</b>
	Apangea presentation	Louis Piconi
	Apple presentation	Renee Sinclair

***If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman Nonini  
Vice Chair Shirley  
Rep Trail  
Rep Block  
Rep Nielsen  
Rep Chadderdon  
Rep Shepherd  
Rep Wills  
Rep Marriott  
Rep Thayn  
Rep Hartgen  
Rep Bateman  
Rep Boyle  
Rep DeMordaunt  
Rep Nessel  
Rep Pence  
Rep Chew  
Rep Cronin

COMMITTEE SECRETARY

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MINUTES  
**HOUSE EDUCATION COMMITTEE**

**DATE:** Monday, February 21, 2011  
**TIME:** 8:00 A.M.  
**PLACE:** Room EW41  
**MEMBERS:** Chairman Nonini, Vice Chairman Shirley, Representative(s) Trail, Block, Nielsen, Chadderdon (Chadderdon), Shepherd, Wills, Marriott, Thayn, Hartgen, Bateman, Boyle, DeMordaunt, Nessel, Pence, Chew, Cronin

**ABSENT/  
EXCUSED:** Representative(s) Hartgen, Boyle

**GUESTS:** Renee Sinclair, Apple Inc.; Dan McCormack, Apple Inc.; Louis Piconi, Apangea; Glen Zollman, Apangea; Erik Makrush, Idaho Free Foundation; José Orozco; Benjamin Davenport, Risch Pisca LLC; Bob Uebelher, Connolly and Smyser; Jeremy Pisca, Risch, Pisca LLC; Lincoln Smyser; Connolly and Smyser; Mark Sharp, Idaho Democratic Legislative Caucus; Sherri Wood, Idaho Education Association; Jan Sykes; Mark Browning, State Board of Education; Luci Willits, Department of Education

**Chairman Nonini** called the meeting to order at 8:06 a.m.

**MOTION:** **Rep. Thayn** moved to approve the minutes from February 16th; **motion carried on voice vote.**

**MOTION:** **Rep. Pence** moved to approve the minutes from February 17th; **motion carried on voice vote.**

**Louis Piconi**, discussed Apangea's work with the Idaho Math Initiative. Mr. Piconi explained that Apangea offers virtual and live tutoring to students in 37 states, offering contests and programs that encourage students to do math during weekends, holidays and summer vacation. Mr. Piconi recognized teachers from around Idaho who have encouraged student participation in Apangea, including several classes who have won contests such as the "Idaho Math Cup."

In regards to questions regarding working with students from disadvantaged socioeconomic backgrounds, **Mr. Piconi** stated that Apangea works with the Boys and Girls Club, the YMCA and public libraries to encourage motivation and inform the public of how and where they can access Apangea services.

In response to a question regarding the response among younger students to technology, **Mr. Piconi** replied that students at the elementary level have an "amazing amount of enthusiasm", but this tends to fade as students enter middle school. Mr. Piconi added that one of Apangea's goals is to change the culture regarding mathematics, by making it "cool" to be good at math.

Regarding questions about the achievement gap, **Mr. Piconi** stated that the information in his presentation only gave data regarding gaps in reading, as it is the best known study, and that achievement gaps were greater in math. Mr. Piconi explained that this was due to students participating in little to no academic activities during the summer, and that an hour of math a week starts to decrease the achievement gap significantly.

In response to Committee questions, **Mr. Piconi** explained that Apangea has been in Idaho for three years, and has been asked by **Superintendent Tom Luna** to target students with basic and below-basic ISAT scores; costing about \$1.3 million a year, or \$31 per student, including unlimited tutoring and professional development. Mr. Piconi added that it is up to the school administrators to identify students and disseminate information to parents and staff regarding Apangea's services.

In addressing Committee concerns about spending money to out of state vendors, **Mr. Piconi** stated that there are four staff members in Idaho, 10% of the company's entire workforce, and that Apangea staff adjust services to meet specific state needs. Mr. Piconi added that the state of Idaho pays a flat fee per year, with part of the fees going to professional development.

**Glen Zollman**, with Apangea, informed Committee that Apangea currently serves over 300 schools in 83 districts in Idaho, serving about 28,000 students during the traditional school year and 8,000-10,000 during the summer.

In response to Committee questions, **Mr. Piconi** stated that Apangea's services were supplemental, and that classroom instruction was still vital to student success. Mr. Piconi added that Apangea was not trying to replace teachers, but that they work with schools and teachers to encourage students to excel in mathematics.

**Chairman Nonini** introduced the Committee's new page, **Todd Rains**.

**Renee Sinclair**, with Apple Inc., introduced **Dr. Dan McCormack**. Dr. McCormack discussed how mobile devices can be used in a classroom setting, in particular iPods and iPads. Dr. McCormack mentioned that mobile devices are cheaper, easier to maintain and easier to integrate in classroom instruction than laptops. Dr. McCormack stated that a full fluency program including iPods and storage case (used for syncing and security) costs \$7,000.

In response to Committee questions, Dr. McCormack stated that currently there is no way for teachers to sync all devices to see each students' work. Dr. McCormack added that some devices can be used in school as a regular tool, such as the iPod, but that devices like the iPad are better equipped for 24/7 learning because it encompasses multiple tools, such as a calculator, a dictionary, a search engine, textbooks, etc.

Regarding Committee concerns over private companies pushing products on schools and such products replacing teachers, **Renee Sinclair** stated that the programs demonstrated today were not made by Apple, although Apple devices were used to demonstrate how technology can implement these programs in the classrooms. **Dr. McCormack** replied that in the states he works with he has not heard of any districts having to cut teachers in order to invest in mobile devices.

Responding to Committee questions regarding special needs students, **Dr. McCormack** informed the Committee that information regarding success of special needs students using mobile devices was anecdotal but that some people suggest mobile devices can eliminate social situations that sometimes make some students uncomfortable and unsuccessful in an academic environment.

In response to questions regarding costs, **Dr. McCormack** that the \$7,000 cost for a full fluency program did not include professional development. **Ms. Sinclair** added that as part of the proposed budget reforms, appropriations for professional development have been outlined in bill S 1113.

Regarding the future of employment security for teachers, **Dr. McCormack** responded that teachers are needed to facilitate the use of increased technology, so mobile devices are not used improperly. **Ms. Sinclair** added that if students are highly engaged, which is the goal of increased technology, there are fewer disciplinary problems and teachers are able to dedicated more time to teaching instead of disciplining students.

Regarding the use of the full fluency station, **Dr. McCormack** stated that one station may serve over 100 students, and explained how stations can be used in the classroom to give all students a turn using mobile devices. Dr. McCormack added that as students reach high school it may be worth the investment for each student to have a mobile device, as they become multipurpose tools.

Regarding Committee concerns about too much technology decreasing a student's social skills, **Dr. McCormack** stated that students need to be well rounded, and that concerns from the 1980s regarding increased technology have turned out to be false, but that technology must be used in a balance with personal interactions to ensure well rounded students.

**ADJOURN:** There being no further business to come before the Committee, the meeting was adjourned at 9:52 a.m.

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Representative Nonini  
Chair

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Amber Messa  
Secretary

AGENDA  
HOUSE EDUCATION COMMITTEE  
8:30 A.M.  
Room EW41  
Tuesday, February 22, 2011

<b>SUBJECT</b>	<b>DESCRIPTION</b>	<b>PRESENTER</b>
	Library Technology Programs	Gina Persichini, Networking Consultant  Shirley Biladeau, Continuing Education Consultant
<a href="#"><u>H 167</u></a>	Cosmetology schools	Rep. Bateman
<a href="#"><u>RS20365</u></a>	Public Employee Retirement System	Rep. Nonini

***If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman Nonini  
Vice Chair Shirley  
Rep Trail  
Rep Block  
Rep Nielsen  
Rep Chadderdon  
Rep Shepherd  
Rep Wills  
Rep Marriott  
Rep Thayn  
Rep Hartgen  
Rep Bateman  
Rep Boyle  
Rep DeMordaunt  
Rep Nessel  
Rep Pence  
Rep Chew  
Rep Cronin

COMMITTEE SECRETARY

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email: amessa@house.idaho.gov

MINUTES  
**HOUSE EDUCATION COMMITTEE**

**DATE:** Tuesday, February 22, 2011

**TIME:** 8:30 A.M.

**PLACE:** Room EW41

**MEMBERS:** Chairman Nonini, Vice Chairman Shirley, Representative(s) Trail, Block, Nielsen, Chadderdon (Chadderdon), Shepherd, Wills, Marriott, Thayn, Hartgen, Bateman, Boyle, DeMordaunt, Nessel, Pence, Chew, Cronin

**ABSENT/  
EXCUSED:** None

**GUESTS:** Ann Joslin, Commission for Libraries; Shirley Biladeau, Commission for Libraries; Gina Persichini, Commission for Libraries; Phillip Homer, Idaho Association of School Administrators (IASA); Lisa Conn, PERSI; Glynda Pflieger, Commission for Libraries; Marjorie Hooper, Commission for Libraries; John Rumel, Idaho Education Association (IEA); Sherri Wood, IEA; Bert Marley, IEA; Ron Law; Joe Leckie, Don Drum, PERSI; Mark Browning, State Board of Education; Aubrey Eberhard, Idaho Association of Student Councils (IASC); Ashton Meeks, IASC; Nick Strobel, IASC; Kristen Massingale, Idaho Association of School Administrators; Leon Collins

**Chairman Nonini** called the meeting to order at 8:35 a.m. and informed the Committee of a change to the agenda, stating that Ann Joslin would be presenting in lieu of Shirley Biladeau.

**MOTION:** **Rep. Pence** moved to approve the minutes from February 21, 2011; **motion carried on voice vote.**

**Ann Joslin**, Commission for Libraries, discussed the programs currently offered by the Commission for Libraries and highlighted the new "Online at Your Library" project, which is funded by the Broadband Technologies Opportunities Program (BTOP) grant, with the goal of improving internet connections and increasing Broadband capacity in public libraries.

**Gina Persichini**, Commission for Libraries, discussed the Learning Express Library, an online tool that can be used to help students of all ages.

In response to Committee questions regarding passwords, **Ms. Joslin** explained that library staff has been trained by Apangea to set up passwords, if students have not received a password from their schools. Ms. Joslin added that some libraries have chosen not to set up filters for the adult computers, but that policies and procedures of libraries ensure that clients follow rules regarding pornography and obscene materials.

In regards to Committee comments over the use of wireless internet by library patrons, **Ms. Joslin** stated that libraries are seeing an increase in wireless use by patrons, and the BTOP grant funding was being used to ensure stable and fast connections.

Responding to a question regarding the relationship between the Commission for Libraries and the Idaho Education Network (IEN), **Ms. Joslin** replied that state funding has only been used to increase internet connectivity in high schools, since it is the first priority of the IEN. To address the remaining priorities (increased connectivity in middle and elementary schools and public libraries), the Commission for Libraries is using the funding received from the BTOP grant. Ms. Joslin added that a main goal of the Commission for Libraries is sustainability, and libraries would have the option of sharing internet connection with the IEN, if it was more cost efficient.

Regarding the use of E-rate, which allows for reduced or free internet services in public libraries, **Ms. Joslin** stated that some libraries feel that the amount of paperwork outweighs the potential benefits. However, with staff designated to educate library staff and help fill out E-rate applications, there may be an increased interest in applying for E-rate services.

Elaborating on parent feedback, **Ms. Persichini** told the Committee about a letter she received from the parent of a child with Asperger syndrome and the positive impact the Learning Express Library has had on the child's education.

Regarding online courses, **Ms. Joslin** stated that if library staff had the resources, they would be able to provide help to students using library facilities to complete online courses.

Responding to a question about accessibility, **Ms. Joslin** stated that the Learning Express Library is online and accessible on any computer with internet capabilities.

**H 167:** **Rep. Bateman** presented **H 167**, legislation that would revise the definition of a licensed cosmetologist studying to become a cosmetology teacher for student ratio purposes.

**MOTION:** **Rep. Wills** moved to send **H 167** to the floor with a **DO PASS** recommendation. **Motion carried on voice vote.** **Rep. Bateman** will sponsor the bill on the floor.

**Chairman Nonini** turned the gavel over to **Vice Chairman Shirley**.

**RS 20365:** **Chairman Nonini** presented **RS 20365**, proposed legislation that would require all organizations that participate in the Public Employment Retirement System of Idaho (PERSI) to comply with the public records provision. Chairman Nonini explained that organizations currently listed in the "other" category of PERSI are not required to share certain information with the public.

In response to Committee questions, **Chairman Nonini** explained some issues that are currently exempt from the public records provision, including personnel problems and trade secrets and expressed the need to hold all participants to the same standards, which this legislation would do.

Regarding a question over public monies, **Chairman Nonini** stated that PERSI participants currently in the "other" category do not receive public funds as part of their retirement plan.

**MOTION:** **Rep. Hartgen** moved to introduce **RS 20365**; commenting on his support for increased transparency regarding PERSI participants. **Motion carried on voice vote.**

**Vice Chairman Shirley** returned the gavel to **Chairman Nonini**.

**ADJOURN:** There being no further business to come before the Committee, the meeting was adjourned at 9:32 a.m.

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Representative Nonini  
Chair

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Amber Messa  
Secretary

AGENDA  
HOUSE EDUCATION COMMITTEE  
8:30 A.M.  
Room EW41  
Wednesday, February 23, 2011

<u>SUBJECT</u>	<u>DESCRIPTION</u>	<u>PRESENTER</u>
<a href="#"><u>H 157</u></a>	Idaho State University, Education College	Mark Browning, State Board of Education
<a href="#"><u>H 158</u></a>	Education Board	Mark Browning, SBE
<a href="#"><u>H 159</u></a>	Education Board, Executive Officer	Mark Browning, SBE

***If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman Nonini  
Vice Chair Shirley  
Rep Trail  
Rep Block  
Rep Nielsen  
Rep Chadderdon  
Rep Shepherd  
Rep Wills  
Rep Marriott  
Rep Thayn  
Rep Hartgen  
Rep Bateman  
Rep Boyle  
Rep DeMordaunt  
Rep Nasset  
Rep Pence  
Rep Chew  
Rep Cronin

COMMITTEE SECRETARY

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MINUTES  
**HOUSE EDUCATION COMMITTEE**

**DATE:** Wednesday, February 23, 2011

**TIME:** 8:30 A.M.

**PLACE:** Room EW41

**MEMBERS:** Chairman Nonini, Vice Chairman Shirley, Representative(s) Trail, Block, Nielsen, Chadderdon (Chadderdon), Shepherd, Wills, Marriott, Thayn, Hartgen, Bateman, Boyle, DeMordaunt, Nessel, Pence, Chew, Cronin

**ABSENT/  
EXCUSED:** None

**GUESTS:** Don Drum, PERSI; Tracie Bent, State Board of Education; Phil Homer, Idaho Association of School Administrators; Sherri Wood, Idaho Education Association

**Chairman Nonini** called the meeting to order at 8:33 a.m.

**MOTION:** **Rep. Thayn** moved to approve the minutes from February 22nd; **motion carried on voice vote.**

**H 157:** **Tracie Bent** informed the Committee that she would be speaking in lieu of **Mark Browning**, and introduced **H 157**, legislation that repeals the requirement for Idaho State University (ISU) to have a model training school.

In regards to Committee questions, **Tracie Bent** informed the Committee that ISU has not had a model training school for a while, and the school found that sending student teachers into "real" schools allowed them to better understand the atmosphere of a typical classroom, and gave students the opportunity to become familiar with different school districts to better decide where they wanted to work.

**Rep. Bateman**, who currently works for ISU and has for many years, attested that all faculty and staff feel the model schools are not consistent with "real" classrooms. **Rep. Bateman** stated that prior model training school students tended to be from upper class families and were enrolled by their parents, giving students an unrealistic view of the typical classroom environment.

**MOTION:** **Rep. Bateman** moved to send **H 157** to the floor with a **DO PASS** recommendation; **motion carried on voice vote.** **Rep. Bateman** will sponsor the bill on the floor.

**H 158:** **Ms. Bent** introduced **H 158**, proposed legislation to redirect Public Employee Retirement System of Idaho (PERSI) funds to the Optional Retirement Plan (ORP). **Ms. Bent** explained that in July 1997, community colleges switched from PERSI to ORP, but that due to employee retirements, 3.83% was still contributed to PERSI, until the July , 2011 sunset.

Regarding a question on the differences between ORP and PERSI, **Ms. Bent** stated that the ORP was a defined contribution plan, and the payout amount is dependent on market fluctuations. PERSI, on the other hand, has a defined return amount, but requires employment for five years or more, which caused frustration among community college staff because those that left the institution prior to their five year mark lost their retirement benefits. **Ms. Bent** then discussed the contribution rates of both plans.

**Don Drum**, of PERSI, clarified the defined contribution rates of each program and discussed how employees could contribute more to their retirement funds if they so choose. **Mr. Drum** added that the purpose of this bill is to make the state contribution the same in both programs, and mentioned that if state contribution levels change for PERSI, adjustments would be made for ORP contributions as well.

In response to a question about the July 1 sunset, **Mr. Drum** stated that the objective has been accomplished, and further contribution to PERSI for retired employees was no longer necessary.

**MOTION:** **Rep. Thayne** moved to send **H 158** to the floor with a **DO PASS** recommendation; **motion carried on voice vote. Rep. Nessel** will sponsor the bill on the floor.

**H 159:** **Ms Bent** introduced **H 159**, proposed legislation that would remove the code limiting project time for shared staff to six months, with university staff losing tenure after that time.

In response to a question if this was "double dipping", **Ms. Bent** responded that it was not because other sections of code do not allow state employees to be paid twice for the same working hours, and shared staff are paid by the SBE when working on projects for them, and by the university when completing job duties relating to their position at the university.

Responding to Committee questions, **Ms. Bent** stated that sharing staff was currently not common practice, as many projects last more than six months and staff were not willing to risk losing their tenure to take a temporary position at the SBE. Sharing staff with universities would eliminate the search process to fill positions and save money by allowing the SBE to negotiate staff salaries. Ms. Bent added that universities determine if the positions left by absent staff are filled, left open, or covered by other faculty members. Ms. Bents also gave two examples of how the SBE could benefit from staff sharing in the future; by hiring a faculty member from the Business Department to help with the longitudinal data system mentioned in the proposed education reforms and by sharing an Education faculty member to work on projects regarding remediation.

**Reps. Shirley and Trail** spoke in favor of **H 159**, noting that other states have found that sharing staff is a "win-win situation" and that faculty members on sabbatical may receive a portion of their salary from the university, allowing them to work for the SBE for less money than hiring an outside person.

**MOTION:** **Rep. Cronin** moved to send **H 159** to the floor with a **DO PASS** recommendation; **motion carried on voice vote, Rep. Cronin** will sponsor on the floor.

**Chairman Nonini** updated that Committee on the education reform bills, noting that he was unsure at this time when the bills would reach the House.

**ADJOURN:** There being no further business to come before the Committee, the meeting was adjourned at 9:15 a.m.

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Representative Nonini  
Chair

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Amber Messa  
Secretary

**AMENDED #1 AGENDA  
HOUSE EDUCATION COMMITTEE  
8:00 A.M.  
Room EW41  
Thursday, February 24, 2011**

<b>SUBJECT</b>	<b>DESCRIPTION</b>	<b>PRESENTER</b>
	Ten Elements of High Quality Digital Learning	Tom Vander Ark, Digital Learning Council Manager
<a href="#"><u>RS20290</u></a>	School Districts, Employees	Rep. Nonini

***If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman Nonini  
Vice Chair Shirley  
Rep Trail  
Rep Block  
Rep Nielsen  
Rep Chadderdon  
Rep Shepherd  
Rep Wills  
Rep Marriott  
Rep Thayn  
Rep Hartgen  
Rep Bateman  
Rep Boyle  
Rep DeMordaunt  
Rep Nessel  
Rep Pence  
Rep Chew  
Rep Cronin

COMMITTEE SECRETARY

Amber Messa  
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Phone: (208) 332-1148  
email: amessa@house.idaho.gov

MINUTES  
**HOUSE EDUCATION COMMITTEE**

**DATE:** Thursday, February 24, 2011

**TIME:** 8:00 A.M.

**PLACE:** Room EW41

**MEMBERS:** Chairman Nonini, Vice Chairman Shirley, Representative(s) Trail, Block, Nielsen, Chadderdon (Chadderdon), Shepherd, Wills, Marriott, Thayn, Hartgen, Bateman, Boyle, DeMordaunt, Nessel, Pence, Chew, Cronin

**ABSENT/  
EXCUSED:** Representative(s) Wills

**GUESTS:** Michele Wilson, Stevens-Henager College; Ray Amaya, 670AM KBOI; Benjamin Davenport, Risch Pisca PLLC; Phillip Homer, Idaho Association of School Administrators (IASA) Jess Harrison, Idaho School Boards Administrators; Lindsey Overline, Caldwell High School students: Lindsey Overline, Justine Rojas, Mollie Weitz, Brittany Arroll, Emily Patchin, Semra Kus, Cheyanne Petzoldt, Anaysa Aguilar, Tonette Welch, Yazmin Ramirez, Brenda Muville; Emily Patchin, Gallatin Public Affairs; Steve Owen, Idaho Freedom Foundation

**Vice Chairman Shirley** called the meeting to order at 8:05 a.m.

**MOTION:** **Rep. Pence** moved to approve the minutes from February 23rd; **motion carried on voice vote.**

**Tom Vander Ark**, Manager of the Digital Learning Council, discussed with the Committee the benefits of adding technology in the classroom and his experiences in working with various organizations and schools to promote on-line and blended learning opportunities to students around the world.

In response to Committee questions, **Mr. Vander Ark** stated that, based on a report from the Digital Learning Council (DLC), high school students should take at least one on-line class in high school, as everyone will have to learn on-line sometime upon graduation, no matter what their post-secondary plans are. Mr. Vander Ark stated that only 10% of high school students will be successful with purely on-line classes, but that the remaining 90% can benefit from increased technology and blended classes. Mr. Vander Ark added that it was critical to have state involvement and leadership to encourage this transition and assure it is being done successfully.

Regarding a question about teacher hesitancy toward greater technology in the classroom, **Mr. Vander Ark** responded that there needs to be state leadership to encourage a transition but a mandate is not always necessary. Mr. Vander Ark explained other methods of getting teachers on board, such as giving free or cheap tools to the teachers who are ready and willing to use more technology, using "viral adoption," by offering a new generation of teaching tools on-line, and by offering a variety of programs for students so that those who want to take on-line or blended classes are able to do so.

In response to questions regarding dual enrollment classes, **Mr. Vander Ark** stated that dual credit is a great option for students, and commented on the increased likelihood of dual credit students to attend college upon high school graduation.

In response to a question about high performing schools that don't use technology, **Mr. Vander Ark** stated that technology was not the only factor in student performance and that methods of high performing schools should be replicated in lower performing schools. Mr. Vander Ark added that great schools do not reach as many students as we would like, but that technology is one way to allow students to have a great teacher at any place at any time.

Responding to a question regarding the over use of technology among young people, **Mr. Vander Ark** agreed that there needs to be a balance regarding technology and personal experiences.

Regarding teacher roles, **Mr. Vander Ark** responded that the role of a teacher is shifting to that of a mentor instead of only involving instruction. Mr. Vander Ark added that technology not only helps teachers because it can assure students are ready for their lessons each day, but also allows non-education professionals to share their knowledge and skills to contribute to the educational system and benefit students.

In response to a study regarding class size, **Mr. Vander Ark** clarified that a study done by the Bill Gates Foundation did not say that class size didn't matter, only that an effective teacher was a more important factor than class size in determining student success.

Regarding a question over the quality of on-line classes, **Mr. Vander Ark** responded that the state needs to authorize statewide providers and monitor their performance to ensure that students are taking only high quality on-line classes.

**Mr. Vander Ark** concluded by reiterating the positive qualities of increased technology in the classrooms and emphasizing the need for leadership at the state level to encourage this transition.

**Vice Chairman Shirley** turned the gavel over to **Chairman Nonini**.

**RS 20290:** **Rep. Wood (35)** introduced **RS 20290**, proposed legislation that would make it easier for Idaho to reject certification for teachers and school administrators who have negative conditions attached to their certificates, or who are under investigation for ethical violations against their state's professional code of conduct, until all conditions and investigations are cleared.

**MOTION:** **Vice Chairman Shirley** moved to introduce **RS 20290**, stating that it was a complex piece of legislation and encouraged the Committee to research this legislation extensively; **motion carried on voice vote**.

**Chairman Nonini** addressed the Committee and asked if a presentation regarding the school funding formula would be beneficial for all first time and "newer" legislators, to which the Committee agreed.

**ADJOURN:** There being no further business to come before the Committee, the meeting was adjourned at 9:42 a.m.

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Representative Nonini  
Chair

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Amber Messa  
Secretary

AGENDA  
HOUSE EDUCATION COMMITTEE  
8:30 A.M.  
Room EW41  
Monday, February 28, 2011

<u>SUBJECT</u>	<u>DESCRIPTION</u>	<u>PRESENTER</u>
<a href="#"><u>RS20452</u></a>	Post-secondary, Proprietary Schools	Mark Browning, State Board of Education
<a href="#"><u>RS20503</u></a>	Library Internet Policy	Rep. Shirley
<a href="#"><u>RS20454</u></a>	Sesquicentennial Recognized	Rep. Nielsen

***If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman Nonini  
Vice Chair Shirley  
Rep Trail  
Rep Block  
Rep Nielsen  
Rep Chadderdon  
Rep Shepherd  
Rep Wills  
Rep Marriott  
Rep Thayn  
Rep Hartgen  
Rep Bateman  
Rep Boyle  
Rep DeMordaunt  
Rep Nasset  
Rep Pence  
Rep Chew  
Rep Cronin

COMMITTEE SECRETARY

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MINUTES  
**HOUSE EDUCATION COMMITTEE**

**DATE:** Monday, February 28, 2011

**TIME:** 8:30 A.M.

**PLACE:** Room EW41

**MEMBERS:** Chairman Nonini, Vice Chairman Shirley, Representative(s) Trail, Block, Nielsen, Chadderdon (Chadderdon), Shepherd, Wills, Marriott, Thayn, Hartgen, Bateman, Boyle, DeMordaunt, Nessel, Pence, Chew, Cronin

**ABSENT/  
EXCUSED:** Representative(s) Block

**GUESTS:** Robin Nettinga, Idaho Education Association; Matthew Malek, Risch-Pisca PLLC; Tracie Bent, State Board of Education (SBE); Mark Browning, SBE; Harold Ott, Idaho Rural Schools Association (IRSA); Phillip Homer, Idaho Association of School Administrators (IASA); Jessie Bonner, Associated Press; Harv Lyter, SBE; United Methodist Women: Mary Jeanne Elliott, Rita Wood, Everaldo Penzel, Leah Platt, Betty Luginbill; Hannah Brass, ACLU of Idaho; Kris Ellis, Benton-Ellis; Kara Veit, Idaho Public Television; Larry Benton, Benton-Ellis; Ray Amaya, 670AM KBOI

**Chairman Nonini** called the meeting to order at 8:33 a.m.

**MOTION:** **Rep. Pence** moved to approve the minutes from February 24th; **motion carried on voice vote.**

**RS 20452:** **Mark Browning**, with the State Board of Education (SBE), presented **RS 20452**, proposed legislation that strengthens the state's ability to monitor and regulate proprietary schools in the state of Idaho.

In response to Committee questions, **Mr. Browning** explained that the SBE receives a "fair number" of complaints regarding proprietary schools, mostly from students who have purchased an on-line degree and then realized the school was not accredited. Mr. Browning added that this bill limits the ability of the SBE to take legal action against proprietary schools, as students are the ones being wronged, not the SBE.

Regarding concern that the updated wording was not strong enough to fully protect students, **Harv Lyter**, with the SBE, stated that the new wording and updated sections regarding penalties were ground-breaking in Idaho, as the state only began managing proprietary school programs two years ago. Mr. Lyter added that the new wording includes the topic of false advertisement and he feels the new wording still protects student interests.

Responding to a question regarding flight schools, **Mr. Lyter** explained that a helicopter training program came to Idaho three years ago, charging \$80,000 up front to students for a two year program. When the school closed after a year, students did not receive a refund. There had been a misconception that the business side of flight schools was monitored by the Federal Aviation Administration (FAA), which was the reason that flight schools were previously excluded from being considered a proprietary school.

**MOTION:** **Rep. Marriott** moved to introduce **RS 20452**; **motion carried on voice vote.**

**RS 20503:** **Vice Chairman Shirley** presented **RS 20503**, proposed legislation that would require libraries to adopt state policies regarding internet filters to comply with the regulations set forth by the Children's Internet Protection Act (CIPA). Vice Chairman Shirley explained that the content was not different from the original bill, but now the State Tax Commission would not have to be involved to enforce penalties for libraries that do not comply. Public libraries would adopt new internet use policies on good faith and public feedback will determine if another approach needs to be taken.

**MOTION:** **Rep. Wills** moved to introduce **RS 20503**; **motion carried on voice vote.**

**RS 20454:** **Rep. Nielsen** presented **RS 20454**, proposed legislation that would inform Idahoans of the historical values of the discovery of gold in Boise County in 1862 and commemorate this historical event.

**MOTION:** **Rep. Bateman** moved to introduce **RS 20454** and send it directly to the second reading calendar; **motion carried on voice vote.**

**Chairman Nonini** addressed the Committee and explained the upcoming week's schedule regarding the education reform bills.

**ADJOURN:** There being no further business to come before the Committee, the meeting was adjourned at 9:13 a.m.

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Representative Nonini  
Chair

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Amber Messa  
Secretary

AGENDA  
HOUSE EDUCATION COMMITTEE  
8:00 A.M.  
Senate Auditorium WW02  
Tuesday, March 01, 2011

<b>SUBJECT</b>	<b>DESCRIPTION</b>	<b>PRESENTER</b>
<a href="#"><u>S 1108</u></a>	Education, Personnel	Tom Luna, Superintendent of Public Instruction, State Department of Education (SDE)
<a href="#"><u>S 1110</u></a>	Education, Pay for Performance	Tom Luna, SDE

***If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman Nonini  
Vice Chair Shirley  
Rep Trail  
Rep Block  
Rep Nielsen  
Rep Chadderdon  
Rep Shepherd  
Rep Wills  
Rep Marriott  
Rep Thayn  
Rep Hartgen  
Rep Bateman  
Rep Boyle  
Rep DeMordaunt  
Rep Nessel  
Rep Pence  
Rep Chew  
Rep Cronin

COMMITTEE SECRETARY

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MINUTES  
**HOUSE EDUCATION COMMITTEE**

**DATE:** Tuesday, March 01, 2011

**TIME:** 8:00 A.M.

**PLACE:** Senate Auditorium WW02

**MEMBERS:** Chairman Nonini, Vice Chairman Shirley, Representative(s) Trail, Block, Nielsen, Chadderdon (Chadderdon), Shepherd, Wills, Marriott, Thayn, Hartgen, Bateman, Boyle, DeMordaunt, Nessel, Pence, Chew, Cronin

**ABSENT/  
EXCUSED:** None

**GUESTS:** The sign-in sheet will be retained with the minutes in the committee's office until the end of the session. Following the end of the session, the sign-in sheet will be filed with the minutes in the Legislative Services Library.

**Chairman Nonini** called the meeting to order at 8:07 a.m. and asked the audience to limit testimony to three minutes and only speak about topics regarding **S 1108** and **S 1110**.

**S 1108:** **Superintendent Tom Luna** discussed the "Students Come First" plan and its three pillars of a customer driven education system. Supt. Luna stated that **S 1108** would give greater control to locally elected school boards regarding Reductions in Force (RIF), Master Teacher Agreements, performance evaluations and the creation of student achievement goals. This legislation would offer new teachers a two year rolling contract, allow for current teachers to maintain their continuous contracts, eliminate seniority as a criterion in RIF, limit collective bargaining to one year, eliminate 99% protection and eliminate Early Retirement Incentives.

**S 1110:** **Supt. Luna** presented **S 1110**, proposed legislation that would establish Pay for Performance guidelines, which would be separate from the base salary grid. School districts would determine which positions would be categorized as "hard to fill", what would constitute "leadership responsibilities", and what measures they would use to determine student growth. Pay for Performance would be 70% funded by the state, which would award all certified staff in an entire school for academic growth on the ISATs. The remaining 30% would be funded by local school boards and would go to groups decided locally (content teams, entire schools, grade levels, etc.) and based on locally decided measurable student achievement goals.

**Scott Hale**, Meridian School District, **Tryntje Van Slyke**, Blaine County Education Association, **Pat Murphy** and **Ray Salmon**, representing themselves, testified in opposition to **S 1108** and **S 1110**, emphasizing that these bills did not support Idaho teachers and if teachers were unsure if the stability of their jobs, they would not invest in their schools, community, or the state of Idaho.

**Dotty Douglas**, **Debbie Cottonware**, representing themselves, and **Brenda Hunter**, representing her children, testified in opposition to **S 1108** and **S 1110**, stating that stakeholders were not included in the process nor were the proposed education reforms mentioned during **Supt. Luna's** re-election campaign. Ms. Hunter elaborated on a national plan created by **Michelle Rhee** that is almost identical to the "Students Come First" plan and informed the Committee of an interview conducted by National Public Radio in which Ms. Rhee stated that she was looking for "anchor states" for her program.

**Ashley Hollister, Alyssa Seideman, Shelby Mallory, Amanda McCabe and Betsey Berquist**, students in the Boise School District, **DaNeil Loveday**, representing her grandchildren, **Michelle Pato**, representing her children, **Renee Orth**, parent of a student in Gooding, and a Buhl School District Employee, testified in opposition to **S 1108** and **S 1110**, highlighting their concerns regarding Pay for Performance as a tool for creating a competitive and non-collaborative atmosphere between teachers, as well as an incentive for teachers to create a learning environment in which dialog is decreased and "drill and kill" tactics are used to ensure that students meet standardized test goals. Ms. Orth discussed the Charlotte Danielson method of teacher evaluation and expressed her concerns that two year rolling contracts will make it difficult to attract new teachers.

**Shannon Hotchkiss** and **Robert Doering**, Nampa School District, **Sherilyn Paris, Jan Damron**, representing their children, **Kevin Perron**, Buhl School District, and **Thomas Van Slyk**, Blaine County Education Association, testified in opposition to **S 1108** and **S 1110**, and explained their particular concerns regarding the elimination of collective bargaining. Ms. Paris informed the Committee of a study done by Harvard University that showed the elimination of collective bargaining lowered student scores and stated that there was no research to show that Pay for Performance increases student achievement.

In response to Committee questions, **Ms. Hotchkiss** explained how art and other programs would be cut if collective bargaining was limited to only wages and benefits. Ms. Hotchkiss added that she would agree with merit pay but needed to know more information about the pay differentiations and who would be responsible for determining merit and compensation amounts.

Responding to Committee questions regarding Pay for Performance, **Ms. Paris** stated that the Denver model had full teacher buy-in and affected teacher morale, not student achievement, but that many peer reviewed studies show that student achievement improves with smaller class sizes, both in the short and long run.

Regarding questions about collective bargaining, **Mr. Van Slyk** argued that collective bargaining is not the cause of failures in the education system, and requiring a date of contract completion would not encourage cooperation between school boards and teachers, as they are not equal partners.

**Kim Wardwell**, Idaho Education Association (IEA), Caldwell School District, testified in opposition to **S 1108** and highlighted his concerns regarding removing seniority as a criterion in RIF.

In response to Committee questions regarding teacher seniority, **Mr. Wardwell** stated that there would be no evidence to show that teachers with seniority would have less job security, until these bills are implemented, but felt that with continued budget cuts at both the state and district levels, schools would be pressured to remove higher paid teachers.

**Judith Harold**, representing her granddaughter, testified in opposition to **S 1108** and **S 1110**, stating that teacher organizations do not protect the jobs of ineffective teachers, but ensure that teachers receive due process after receiving poor evaluations.

In response to Committee questions, **Ms. Harold** described the differences between tenure and continuous contracts, elaborated on her personal experiences as President of the Idaho Education Association and explained the role that teacher organizations play in assuring teacher effectiveness.

**Mary Gersema** and **Julie Browning**, representing themselves, testified in favor of **S 1108** and **S 1110**, stating that these bills will save the state money and put students first.

**Superintendent Ryan Kerby**, New Plymouth School District, testified in favor of **S 1108** and **S 1110**. He stated that these bills would give more power to the local school districts.

In response to Committee questions, **Supt. Kerby** explained how Pay for Performance would be implemented and suggested increasing cigarette or other taxes to fund such an effort. Supt. Kerby discussed how the longitudinal data system will help capture the "right data" to determine student achievement.

**Wayne Hoffman**, Idaho Freedom Foundation, testified in favor of **S 1108** and **S 1110**, emphasizing that these bills would provide accountability and eliminate wasteful spending.

In response to Committee questions, **Mr. Hoffman** stated that although the elimination of 99% funding would cause some teachers to lose their positions four to six weeks into the school year, he felt it was necessary to ensure that state funding followed the students.

**Tracy Lotz** and **Debra Infanger**, representing themselves, testified in favor of **S 1108** and **S 1110**. They felt that these bills will make it easier to eliminate ineffective teachers and create globally competitive students.

Due to time constraints, **Chairman Nonini** stated that remaining testimony would be postponed until Wednesday at 8:00 a.m.

**ADJOURN:** There being no further business to come before the Committee, the meeting was adjourned at 11:50 a.m.

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Representative Nonini  
Chair

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Amber Messa  
Secretary

**AMENDED #1 AGENDA  
HOUSE EDUCATION COMMITTEE  
8:00 A.M.  
WW02 Senate Auditorium  
Wednesday, March 02, 2011**

<b>SUBJECT</b>	<b>DESCRIPTION</b>	<b>PRESENTER</b>
<a href="#"><u>S 1108</u></a> <a href="#"><u>S 1110</u></a>	Continuation of Public Testimony (if needed)	
	Presentations from Stakeholders	Jason Hancock, State Department of Education  Idaho Education Association  Idaho Parent/Teacher Association  Idaho Association of School Board Administrators  Idaho School Boards Association  Idaho Business Coalition for Education Excellence  Roger Brown, Division of Financial Management  Tom Luna, State Department of Education

***If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman Nonini	Rep Thayn
Vice Chair Shirley	Rep Hartgen
Rep Trail	Rep Bateman
Rep Block	Rep Boyle
Rep Nielsen	Rep DeMordaunt
Rep Chadderdon	Rep Nessel
Rep Shepherd	Rep Pence
Rep Wills	Rep Chew
Rep Marriott	Rep Cronin

COMMITTEE SECRETARY

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MINUTES  
**HOUSE EDUCATION COMMITTEE**

**DATE:** Wednesday, March 02, 2011

**TIME:** 8:00 A.M.

**PLACE:** WW02 Senate Auditorium

**MEMBERS:** Chairman Nonini, Vice Chairman Shirley, Representative(s) Trail, Block, Nielsen, Chadderdon (Chadderdon), Shepherd, Wills, Marriott, Thayn, Hartgen, Bateman, Boyle, DeMordaunt, Nessel, Pence, Chew, Cronin

**ABSENT/  
EXCUSED:** None

**GUESTS:** The sign-in sheet will be retained with the minutes in the committee's office until the end of the session. Following the end of the session, the sign-in sheet will be filed with the minutes in the Legislative Services Library.

**Chairman Nonini** called the meeting to order at 8:05 a.m. and informed the audience that today was the last day of public testimony and tomorrow the Committee would hear from stakeholders. Chairman Nonini asked that testimony be limited to two minutes and only include topics pertaining to **S 1108** and **S 1110**.

**Grace Owens, Ryan McFarland, Brian Smith, Debi Maughan, Jim Silvestri, Karen Danley, Chuck Durrand, Bill Davis, Richard Law and Ann Campbell**, representing themselves, testified in opposition to **S 1108** and **S 1110**, emphasizing their particular concerns with eliminating continuous contracts for new teachers, which included: Idaho teachers leaving the state for other opportunities, experienced teachers being chosen first for Reductions in Forces (RIF) due to their higher salaries, setting precedent for the government to interfere with non-state contracts, fear of job security causing decreased morale which would in turn affect the learning environment, and the decreased protection of teachers.

In response to Committee questions, **Mr. Smith** discussed how some schools in his district only have one class per grade level, and the removal of 99% protection would affect them greatly. Mr. Smith discussed how Article 5 in the U.S. Constitution and Article 20 in the Idaho Constitution show the uncertainty of whether eliminating Master Agreements is legal.

**Brock McConneley, Hannah Kim, Jessica Tindle, Shannon Decker, and Lori Lemke**, representing themselves, testified in opposition to **S 1108** and **S 1110**, emphasizing their disapproval of Pay for Performance. They pointed out the difficulties in evaluating teachers to determine effectiveness, the concerns with competition among teachers that would result from Pay for Performance and how the state would fund Pay for Performance, as well as outside factors that affect student achievement that are beyond a teacher's control.

**Brandon Durst, and Nephi White**, representing themselves, and **Tom Taggart**, Idaho School Business Managers Association (ISBMA), testified in opposition to **S 1108** and **S 1110**, and discussed the concerns that schools will be forced to consolidate districts, drastically cut class options or close entire schools should the State eliminate 99% funding.

In response to Committee questions, **Mr. Taggart** stated that there was not always a duplication of funds regarding 99% protection and the money saved would not be worth the affect the decreased funding would have on students. He also discussed the results of a survey done by the ISBMA.

**Scott Nicholson, Lisa Hoffeld, Meghan Ridley, Travis Manning, Pamela Chiarella, Gloria Duhaime, Bruce Shulz, Dorinda Schrupp, Pamela Harper, Karen Johnson, LaDawn Goebel, Matt Brown and Earline Worthy**, representing themselves, and **Kendon Perry**, business owner, testified in opposition to **S 1108** and **S 1110**, emphasizing the lack of teacher involvement and stakeholder collaboration in creating the education reform bills and stating that the process should be slowed down, researched and rewritten with more input from teachers, parents and other stakeholders. Mr. Brown offered an alternative to funding the education system by requiring companies that extract natural resources from Idaho pay a small tax.

In response to Committee questions, **Ms. Hoffeld** stated that collaborative bargaining in her district was not balanced in favor of teachers. **Ms. Ridley** stated that there would be less justice for teachers should these bills pass, highlighting her experience with negative media attention in northern Idaho.

Responding to a question regarding the biggest factor for improving effectiveness among teachers, **Ms. Duhaime** stated that teacher collaboration plays a large role in professional development and using best teaching practices in the classroom.

**Chairman Nonini** addressed **Ms. Ridley** to publicly apologize for untrue allegations published about her in the Coeur d'Alene Press.

**Shawn Dygert**, Idaho Vocational Agriculture Teachers, testified in opposition to **S 1108**, stating that greater clarifications were needed regarding teacher evaluations and the bill needs to allow teachers to represent themselves and refute any allegations.

In response to Committee questions, **Mr. Dygert** stated that the New Plymouth school district and community has been supportive in ensuring the continuation of agricultural programs and suggested amendments to **S 1108** regarding teacher evaluations.

**Mike Steiner**, Idaho Education Association, Nampa High School, **Lori Maxwell, Rita Repp, Chris Jacks, DeAnn Jones, Robert Hellar and Betty Soloman**, representing themselves, testified in opposition to **S 1108** and **S 1110**, stating that these bills would hurt the education system in Idaho and does not encourage teachers to stay in Idaho.

**Janet Orndorff**, a Boise School District Trustee for twenty years, testified in opposition to **S 1108**, stating that sections 6,10,11 should be removed because they add unnecessary bureaucracy, as well as section 12, which would hurt all school districts, rural ones in particular.

In response to Committee questions, Ms. Orndorff stated that the elimination of 99% funding and Pay for Performance would further exacerbate the financial struggles districts are currently facing, and greater research needed to be done before she could agree on a lower percentage of funding protection. Pay for Performance needs to be studied over a longer period of time to determine it's effect on student achievement.

**Matt Barkley, Jolene Gunn, and Steve Worthley**, representing themselves, testified in opposition to **S 1108** and **S 1110** and discussed the importance of collective bargaining and how limited collective bargaining would negatively impact schools, teachers and students. Key points made were that collective bargaining gives teachers a voice, protects them from unfair working conditions and is used to determine a wide variety of topics, such as ensuring teachers receive classroom supplies and materials and are guaranteed a certain amount of prep time during the school day.

**Jim Norton**, Superintendent of Parma School District, testified in opposition to **S 1108** and **S 1110** and informed the Committee of the high rate of post secondary enrollment among seniors in his district.

In response to Committee questions, **Mr. Norton** stated that he would embrace Pay for Performance if proper funding was available to support it and expressed his frustration that these bills are not compatible with the Charlotte Danielson model; which is currently being used to determine teacher effectiveness.

**MariAnne Batten, Decker Sanders, Glen Aubrey, and Twila Kadel**, representing themselves, testified in opposition to **S 1108** and **S 1110**, and elaborated on the importance of Master Contracts and explained the Master Contract process.

In response to Committee questions, **Mr. Aubrey** stated that it would be difficult to collaborate to create policies in lieu of Master Agreements in districts where the Board does not have a good relationship with the teachers' association.

Responding to Committee questions, **Mr. Sanders** elaborated on a past teacher strikes in his district, citing intolerable conditions and lack of confidence in the Superintendent as reasons the strike occurred.

**Dawn King, Scott Funk, Lasinnda Mathewson, Michelle George, and Tiffany Ringo**, representing themselves, testified in opposition of **S 1108** and **S 1110**, emphasizing the importance of teacher representation and informing the Committee of the benefits that labor organizations provide to both teachers and the districts they serve, including providing due process for teachers and helping ineffective teachers improve or be removed from their position.

In response to Committee questions, **Mr. Funk** stated that although the ultimate decision lies in the hands of elected officials, their decisions should represent the opinions of their constituents.

Regarding the relationship between her board members and the teachers in her district, **Ms. Mathewson** stated that currently there is a good working relationship, however, that may change if collective bargaining was removed.

**Jane Wittmeyer**, Coalition for Public Charter School Families, and **Jason Richardson**, representing himself, testified in favor of **S 1108** and **S 1110**, stating that education reforms are needed and will benefit Idaho students. Mr. Richardson stated that eliminating continuous contracts gives teachers the motivation to constantly monitor and improve their teaching methods.

In response to Committee questions, **Ms. Wittmeyer** explained that these bills would bring the desired broader change to the education system as a whole.

There being no further testimony to come before the Committee, the meeting was adjourned at 12:25 p.m.

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Representative Nonini  
Chair

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Amber Messa  
Secretary

**AMENDED #1 AGENDA  
HOUSE EDUCATION COMMITTEE  
8:00 A.M.  
EW41  
Thursday, March 03, 2011**

<b>SUBJECT</b>	<b>DESCRIPTION</b>	<b>PRESENTER</b>
<a href="#"><u>S 1108</u></a> <a href="#"><u>S 1110</u></a>	Presentations from Stakeholders	Jason Hancock, State Department of Education  Idaho Education Association  Idaho Parent/Teacher Association  Idaho Association of School Board Administrators  Idaho School Boards Association  Idaho Business Coalition for Education Excellence  Roger Brown, Division of Financial Management  Tom Luna, State Department of Education

***If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman Nonini	Rep Thayn
Vice Chair Shirley	Rep Hartgen
Rep Trail	Rep Bateman
Rep Block	Rep Boyle
Rep Nielsen	Rep DeMordaunt
Rep Chadderdon	Rep Nessel
Rep Shepherd	Rep Pence
Rep Wills	Rep Chew
Rep Marriott	Rep Cronin

COMMITTEE SECRETARY

Amber Messa  
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MINUTES  
**HOUSE EDUCATION COMMITTEE**

**DATE:** Thursday, March 03, 2011

**TIME:** 8:00 A.M.

**PLACE:** EW41

**MEMBERS:** Chairman Nonini, Vice Chairman Shirley, Representative(s) Trail, Block, Nielsen, Chadderdon (Chadderdon), Shepherd, Wills, Marriott, Thayn, Hartgen, Bateman, Boyle, DeMordaunt, Nessel, Pence, Chew, Cronin

**ABSENT/  
EXCUSED:** None

**GUESTS:** The sign-in sheet will be retained with the minutes in the committee's office until the end of the session. Following the end of the session, the sign-in sheet will be filed with the minutes in the Legislative Services Library.

**Chairman Nonini** called the meeting to order at 8:03 a.m.

**S 1108:** **Jason Hancock**, State Department of Education, explained **S 1108** section by section, discussing teacher evaluations, the elimination of 99% funding, contract termination rights, giving increased power to principals in the matter of hiring new staff, changes to collective bargaining, and the proposed elimination of the evergreen clause.

In response to Committee questions regarding due process, **Mr. Hancock** stated that the bills have been reviewed and approved by the Attorney General's office. Mr. Hancock explained the details of a Category B contract and how school boards could choose not to renew a contract after one year.

Regarding parent feedback, **Mr. Hancock** stated that these bills were not prescriptive as to give districts the ability to decide how to gather parent input and how much to take that input into account.

In response to questions regarding Reductions in Force (RIF), **Mr. Hancock** stated that RIFs were the only exception regarding teacher protection, and that by making these changes all teachers would be protected equally, not just those with seniority. Mr. Hancock clarified that teachers would not be considered "hired" until approved by both the Board and school principal and offered a position. Mr. Hancock added that under current funding procedures districts do not have an advantage in releasing teachers with seniority.

Responding to a question about mediation, **Mr. Hancock** stated that in this bill mediation is not considered as binding because that would give authority to a third party, instead of with locally elected officials.

Regarding liability insurance, **Mr. Hancock**, stated that the IEA could only provide liability insurance if it could prove that they represented the majority of the school. Mr. Hancock added that the Department of Education website did not get much traffic, and in order to better inform the public, districts would be required to give a hard copy to all employees each year.

**S 1110:** **Jason Hancock** discussed the details of **S 1110**, including the basis of bonus pay at both the state and local level. Mr. Hancock explained the Colorado growth model, hard to fill positions and leadership roles.

In response to Committee questions, **Mr. Hancock** discussed teacher collaboration in working with the Race to the Top grant, noted New Plymouth school districts for their successes in establishing merit pay, elaborated on student growth measurements using standardized tests, and explained that teachers needed at least 3 years of teaching experience to take on leadership roles, as to not distract from their classrooms during their first few years of teaching.

Regarding concerns about funding **S 1110** without the third education reform bill, **Mr. Hancock** responded that the state will need to address budget shortages no matter what, and should the third bill not pass, it would be up to legislators to fill the \$50 million dollar gap in funding prior to FY 2013, when Pay for Performance would be implemented.

**Sherri Wood**, Idaho Education Association (IEA), testified in opposition to bills **S 1108** and **S 1110**, stating that the bills would damage the education system in Idaho. Ms. Wood stated that **S 1108** was an "egregious and mean spirited attack on teachers", discussed the importance of collective bargaining and encouraged legislators to listen to the warnings they have heard from their constituents. Ms. Wood recommended that **S 1110** be held until there was proper funding.

In response to Committee questions, **Ms. Wood** elaborated on ways the IEA has helped promote education reform and the concerns within the teaching community, noting that many college students were looking to change careers or go out of state should these bills pass. Ms. Wood added that not all districts have a good working relationship with their teacher associations, and the removal of collective bargaining may change the existing good relationships for the worse.

Regarding Committee concerns, **Ms. Wood** stated that 2/3 of districts pay above the salary schedule, and would, therefore, benefit from releasing senior teaching staff to be replaced by new teachers. Ms. Wood discussed the negative impacts the removal of 99% protection would have on students and added that the savings to the general fund would not be worth the repercussions.

**Laurie Boeckel**, Idaho Parents and Teachers Association, testified in opposition of **S1108** and **S1110**, stating that the bills need more parent and stakeholder input as well as clarification on teacher removal notices.

**Phil Homer**, Idaho Association of School Administrators (IASA), testified in favor of pay for performance, but stated that **S 1110** should be postponed until there was adequate funding. Mr. Homer stated the IASA's support for an improvement in the education system and informed the Committee of his concerns regarding the elimination of 99% protection.

In response to a question regarding teacher morale should these bills pass, **Mr. Homer** stated that the IASA will work with its staff regardless of the outcome, and although teacher morale may be low, he is confident that in the end they will do what needs to be done in order to put students first.

**Karen Echeverria**, Idaho School Boards Association (ISBA), discussed a survey done by the ISBA regarding the proposed education reforms, highlighting the areas with the most and least support. Ms. Echeverria stated that ISBA attorneys helped draft **S 1108** and ISBA members were "at the table" regarding Pay for Performance when it was introduced for the Race to the Top grant.

In response to Committee questions, **Ms. Echeverria** stated that the ISBA would support any legislation that came before the Legislature that would increase K-12 funding, including a raise in sales tax.

**Vince Hannity** and **Christine Donnell**, Idaho Business Coalition for Education Excellence (IBCEE), testified in favor of **S 1108** and **S 1110**, stating that inefficiencies need to be eliminated to improve Idaho education and create globally prepared competitive students. Ms. Donnell stated that the education system has not changed much in the past 40 years, but both she and Mr. Hannity agreed that teachers were not the sole cause of insufficiencies in the education system.

**Roger Brown**, Governor's Office, testified in support of **S 1110**, emphasizing the benefits of Pay for Performance and stating that no research, regardless of their findings, shows that Pay for Performance decreases student achievement, and the worst case scenario would be paying great teachers a little extra.

When asked how **S 1110** would be funded, **Mr. Brown** stated that the goal was to eventually come to a conclusion regarding the remaining Senate bill.

**Superintendent Tom Luna** discussed concerns addressed by the Committee, including Pay for Performance, 99% protection, RIF and the state mandate regarding **S 1108** and **S 1110**.

In response to Committee questions, **Supt. Luna** stated that Category B contracts were legitimate and have been reviewed by legal counsel and discussed the involvement of stakeholders in the drafting of these bills. Supt. Luna closed by stating that many changes have occurred in Idaho education system, and that previous fears have caused strong resistance to change, even though the fears ended up being unfounded.

**MOTION:** **Rep. Bateman** moved to send **S 1108** to the floor with a **DO PASS** recommendation.

**Rep. Nessel** argued against the motion, stating that although he supports technology in the classroom and pay for performance, there needed to be more time invested, greater stakeholder input and secured funding before these bills move forward.

**SUBSTITUTE MOTION:** **Rep. Cronin** offered a substitute motion to send **S 1108** to General Orders with amendments, stating that this bill has not clarified how eroding collective bargaining will help student achievement, the insurance provision was a punitive step, and the removal of 99% protection would greatly harm smaller districts.

**Reps. Thayn** and **Hartgen** debated against the substitute motion, stating that a trailer bill would be more efficient than sending the bill to General Orders.

**Rep. Bateman** argued against the substitute motion, assuring Committee members that this bill would not result in the mass removal of teachers.

**Rep. DeMordaunt** argued against the substitute motion, stating that the ultimate output needs to be the main concern, not the equality of stakeholder input.

**ROLL CALL VOTE ON SUBSTITUTE MOTION:** Roll call vote was requested on the substitute motion. Substitute motion **failed**, **5 aye, 13 nay**. **Voting in favor** of the substitute motion: **Reps: Trail, Nessel, Pence, Chew, and Cronin**. **Voting in opposition** to the substitute motion: **Reps. Shirley, Block, Nielsen, Chadderdon, Shepherd, Wills, Marriott, Thayn, Hartgen, Bateman, Boyle, DeMordaunt** and **Chairman Nonini**.

**ROLL CALL VOTE ON ORIGINAL MOTION:** Roll call vote was requested on the original motion. Original motion **passed**, **13 aye, 5 nay**. **Voting in favor** of the original motion: **Reps. Shirley, Block, Nielsen, Chadderdon, Shepherd, Wills, Marriott, Thayn, Hartgen, Bateman, Boyle, DeMordaunt** and **Chairman Nonini**. **Voting in opposition** to the original motion: **Reps: Trail, Nessel, Pence, Chew, and Cronin**.

**MOTION:** **Rep. Hartgen** moved to send **S 1110** to the floor with a **DO PASS** recommendation.

**Rep. Cronin** argued against the motion, stating that it was irresponsible to pass this bill without funding, and would only offer a program to benefit teachers that may be eliminated in the future.

**Rep. DeMordaunt** argued in favor of the motion, stating that Pay for Performance recognizes excellent teachers and should be promoted regardless if the third reform bill passes.

**ROLL CALL  
VOTE ON  
MOTION:**

Roll call vote was requested on the motion. Motion **passed, 13 aye, 5 nay. Voting in favor of the original motion: Reps. Shirley, Block, Nielsen, Chadderdon, Shepherd, Wills, Marriott, Thayn, Hartgen, Bateman, Boyle, DeMordaunt and Chairman Nonini. Voting in opposition to the motion: Reps: Trail, Nessel, Pence, Chew, and Cronin.**

**ADJOURN:**

There being no further business to come before the Committee, the meeting was adjourned at 12:48 p.m.

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Representative Nonini  
Chair

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Amber Messa  
Secretary

AGENDA  
HOUSE EDUCATION COMMITTEE  
8:30 A.M.  
Room EW41  
Monday, March 07, 2011

<b>SUBJECT</b>	<b>DESCRIPTION</b>	<b>PRESENTER</b>
<a href="#"><u>H 204</u></a>	Post secondary/proprietary schools	Mark Browning, State Board of Education
<a href="#"><u>S 1066</u></a>	School Discontinuation	Mark Browning, SBE
<a href="#"><u>S 1111</u></a>	Education, rules	Sen. Winder

***If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman Nonini  
Vice Chair Shirley  
Rep Trail  
Rep Block  
Rep Nielsen  
Rep Chadderdon(Chadderdon)  
Rep Shepherd  
Rep Wills  
Rep Marriott  
Rep Thayn  
Rep Hartgen  
Rep Bateman  
Rep Boyle  
Rep DeMordaunt  
Rep Nessel  
Rep Pence  
Rep Chew  
Rep Cronin

COMMITTEE SECRETARY

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MINUTES  
**HOUSE EDUCATION COMMITTEE**

**DATE:** Monday, March 07, 2011

**TIME:** 8:30 A.M.

**PLACE:** Room EW41

**MEMBERS:** Chairman Nonini, Vice Chairman Shirley, Representative(s) Trail, Block, Nielsen, Chadderdon (Chadderdon), Shepherd, Wills, Marriott, Thayn, Hartgen, Bateman, Boyle, DeMordaunt, Nessel, Pence, Chew, Cronin

**ABSENT/  
EXCUSED:** Representative(s) Block, Wills, Bateman

**GUESTS:** Harv Lyter, State Board of Education (SBE); Sherri Wood, Idaho Education Association (IEA); Robin Nettinga, IEA; Mark Browning, SBE; Tracie Bent, SBE; Shane Reeder, Stevens-Henager College; Harold Ott, Idaho Rural Schools Association (IRSA); Phillip Homer, Idaho Association of School Administrators (IASA); Robin Nettinga, IEA; Benjamin Davenport, Risch Pisca LLC; Dale Leinert, Moscow School District; Bert Marley, IEA; Luci Willits, State Department of Education; Jess Harrison, Idaho School Boards Administrators

**Vice Chairman Shirley** called the meeting to order at 8:35 a.m. and informed the Committee that the order of presenters would be changed.

**MOTION:** **Rep. Thayn** moved to approve the minutes from February 28, 2011; **motion carried on voice vote.**

**S 1066:** **Sen. Goedde** presented **S 1066**, proposed legislation that would remove the requirement for a consolidated district to hold an election to discontinue the use of a building when it has been declared an imminent public safety hazard. Sen. Goedde explained that this bill has been proposed after a school in his district was forced to continue paying for the upkeep and necessary maintenance of a closed school building that was not being used.

In response to Committee questions, **Sen. Goedde** stated that when this bill was heard in the Senate, only the administration of the above-mentioned school was present, and they were in support of this bill. Sen. Goedde also elaborated on various maintenance costs that could be mandated and how it was financially unfeasible for consolidated school districts.

**MOTION:** **Rep. Thayn** moved to send **S 1066** to the floor with a **DO PASS** recommendation; **motion carried on voice vote.** **Rep. Pence** will sponsor the bill on the floor.

**S 1111:** **Sen. Winder** presented **S 1111**, proposed legislation that would allow the use of advertisements on school buses. Sen. Winder explained that this bill would require rules to be created and passed through the Legislature next year.

In response to Committee questions, **Sen. Winder** explained that advertisements would follow current safety requirements and that bus advertisements would not be mandatory, but determined by each school district. Ads would be within the state requirements to allow for competitive bidding and all funds generated would remain in the local districts.

Responding to Committee questions, **Sen. Winder** stated that the rules, which will come before the Committee next year, would limit the subject matter on advertisements on both questionable material and political advertisements.

**MOTION:** **Rep. Nielsen** moved to send **S 1111** to the floor with a **DO PASS** recommendation; **motion carried on voice vote**. **Reps. Cronin** and **Chew** asked to be recorded as voting nay. **Rep. DeMordaunt** will sponsor the bill on the floor.

**H 204:** **Mark Browning**, State Board of Education, presented **H 204**, legislation that would strengthen the provisions for consumer protection of proprietary schools.

In response to Committee questions regarding proprietary school inspections, **Mr. Browning** explained that prior attempts to inspect proprietary schools have shown that some schools which advertised as being in Idaho, do not in fact have any locations in the state. **Shane Reeder**, Stevens-Henager College, added that there were some concerns regarding sharing private information, but as an involved stakeholder in creating this bill, he agreed with the language stating that schools would provide information to the State Board "upon reasonable notice."

In response to Committee questions regarding taking legal actions, **Mr. Browning** stated that the consumer (student) should be the one to take legal action, as they were the wronged party. **Mr. Browning** added that there are currently penalties for failure to comply with State codes, and the Board becomes involved if this happens. This legislation does not prohibit the State from becoming involved in a class action suit if needed.

Regarding continuing education, **Mr. Browning** informed the Committee that the State Board does not require registration if an organization teaches four or less classes a year, as it is not considered to be on "an ongoing basis."

Responding to a question about federal laws, **Harv Lyter**, State Board of Education, stated that the only two conditions of federal law regarding proprietary schools that affected the State were the need to have a formal student complaint process and ensuring that proprietary schools register with the State.

**MOTION:** **Rep. Thayn** moved to send **H 204** to the floor with a **DO PASS** recommendation, stating that he felt this bill provided a good balance between the students and the State Board of Education.

**SUBSTITUTE MOTION:** **Rep. Hartgen** offered a substitute motion to send **H 204** to General Orders with amendments.

**Mr. Browning** stated his concern that amending the language would weaken the ability for students to have a strong standing when taking legal action against proprietary schools.

**Rep. Nielsen** spoke in favor of the substitute motion, stating that he did not feel it would impede student standing and would allow time to get the input of the Attorney General.

**ROLL CALL VOTE ON THE SUBSTITUTE MOTION:** **Vice Chairman Shirley** requested a roll call vote on the substitute motion. Substitute motion **failed, 6 aye, 8 nay, 4 absent/excused**. **Voting in favor** of the substitute motion: **Reps. Nielsen, Hartgen, DeMordaunt, Pence, Chew** and **Cronin**. **Voting in opposition** to the substitute motion: **Reps. Trail, Chadderdon, Shepherd, Marriott, Thayn, Boyle, Nessel** and **Vice Chairman Shirley**. Absent/Excused: **Reps. Block, Wills, Bateman** and **Chairman Nonini**.

**VOTE ON ORIGINAL MOTION:** The original motion, to send **H 204** to the floor with a **DO PASS** recommendation, **carried on voice vote**. **Rep. Thayn** will sponsor the bill on the floor.

**ADJOURN:** There being no further business to come before the Committee, the meeting was adjourned at 9:41 a.m.

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Representative Nonini  
Chair

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Amber Messa  
Secretary

AGENDA  
HOUSE EDUCATION COMMITTEE  
8:00 A.M.  
Room EW41  
Wednesday, March 09, 2011

<u>SUBJECT</u>	<u>DESCRIPTION</u>	<u>PRESENTER</u>
<a href="#"><u>H 201</u></a>	School Districts, Employees	Reps. Wood (35), Nonini
<a href="#"><u>RS20549</u></a>	Public Records	Rep. Nonini
<a href="#"><u>H 205</u></a>	Library Internet Policy	Rep. Shirley

***If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman Nonini  
Vice Chair Shirley  
Rep Trail  
Rep Block  
Rep Nielsen  
Rep Chadderdon(Chadderdon)  
Rep Shepherd  
Rep Wills  
Rep Marriott  
Rep Thayn  
Rep Hartgen  
Rep Bateman  
Rep Boyle  
Rep DeMordaunt  
Rep Nessel  
Rep Pence  
Rep Chew  
Rep Cronin

COMMITTEE SECRETARY

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MINUTES  
**HOUSE EDUCATION COMMITTEE**

**DATE:** Wednesday, March 09, 2011

**TIME:** 8:00 A.M.

**PLACE:** Room EW41

**MEMBERS:** Chairman Nonini, Vice Chairman Shirley, Representative(s) Trail, Block, Nielsen, Chadderdon (Chadderdon), Shepherd, Wills, Marriott, Thayn, Hartgen, Bateman, Boyle, DeMordaunt, Nessel, Pence, Chew, Cronin

**ABSENT/  
EXCUSED:** Representative(s) Trail, Chadderdon (Chadderdon)

**GUESTS:** Barbara Horden, Idaho Trial Lawyers Association; Mitchell Schmidt, Associated Press; Tim Brady, Sherri Wood, Idaho Education Association; Don Drum, Public Employee Retirement System of Idaho (PERSI); Joanna Guilfooy, Attorney General, PERSI; Becca Stroebe, Idaho Library Association (ILA); A.J. Balukoff, Boise Public Library; Patricia Younger, Meridian Library District; Gina Persichini, Idaho Commissions for Libraries; Jillian Subach, Boise Public Library; Harold Ott, Idaho Rural Schools Association (IRSA); Phillip Homer, Idaho Association of School Administrators (IASA); Ronalee Linsenmann, Idaho Federation of Republican Women; Jared Smith, Citizens for Decency; Hannah Brass, American Civil Liberties Union of Idaho; Julie Lynde, Cornerstone Family Council; Craig Cobia, Citizens for Decency; Ray Amaya, 670AM KBOI; Tom Moss, Ann Joslin, Commission for Libraries; Natalie Nation, ILA; Karen Echeverria, Idaho School Boards Association; Gena Marker, ILA; Dylan Baker, Ada Community Library; Harv Lyter, State Board of Education

**Chairman Nonini** called the meeting to order at 8:05 a.m. and informed the Committee that the order of presentations would be changed.

**MOTION:** **Rep. Pence** moved to approve the minutes of March 1, 2011; **motion carried on voice vote.**

**MOTION:** **Rep. Thayn** moved to approve the minutes of March 2, 2011; **motion carried on voice vote.**

**MOTION:** **Rep. Pence** moved to approve the minutes of March 3, 2011; **motion carried on voice vote.**

**H 205:** **Vice Chairman Shirley** presented **H 205**, proposed legislation to require public libraries to have filters on all computers, as well as post internet policies in a place visible to library patrons. Vice Chairman Shirley explained that authorized personnel would be able to disable filters for legitimate research for adult patrons.

In response to Committee questions, **Vice Chairman Shirley** stated that the components of this bill align with the Children's Internet Protection Act (CIPA) and that libraries that already have filters in place would be in compliance with the proposed legislation, and this legislation may not impact them other than having to post their policies for public viewing.

Regarding the changes made from **H 180**, **Vice Chairman Shirley** explained that the Attorney General recommended adding penalties or more details regarding withholding public funds from libraries that did not comply, which would involve working with the Tax Commission. It was decided to eliminate that portion from the new bill instead.

**A.J. Balukoff**, Boise Public Library, testified in opposition to **H 205**, stating that policies are already in place to protect minors from viewing inappropriate material. Mr. Balukoff explained that at the Boise Public Library, patrons choose if they want filters to be in place when using the internet when they sign up for a library card.

In response to Committee questions, **Mr. Balukoff** stated that this bill was unnecessary and redundant, as policies are already in place to filter computers in the children's area. Mr. Balukoff added that an adult patron searching for information regarding a sensitive health topic may be embarrassed to ask library staff to remove a filter which would automatically block such material.

**Patricia Younger**, Meridian Library District, **Ann Joslin**, Commission for Libraries, **Becca Stroebel**, Idaho Library Association and **Gena Marker**, Idaho Library Association, testified in opposition to **H 205**, stating that filtering policies are not right for every district and elected trustees should be the ones to decide best practices in their libraries. Ms. Younger added that filters are very expensive, stating that the Meridian Library District paid around \$22,000 for their internet filters, and pay about \$5,000 each year to maintain their subscription. Ms. Marker added that it is already illegal for minors to view pornography or anyone to view child pornography and this bill was an unfunded mandate that would be the first step toward censorship.

**Chairman Nonini** handed the gavel over to **Rep. Wills**.

**Ronalee Linsenmann**, Idaho Federation of Republican Women, testified in favor of **H 205**, stating that there are free filters available to public libraries and that posting internet policies is a positive practice to protect Idaho's youth.

**Jared Smith**, Citizens for Decency, testified in favor of **H 205**, explaining his addiction to pornography began after witnessing a library patron looking at pornographic material when he was fourteen years old. Mr. Smith stated that filters may help prevent other youth from seeing obscene images that could have lasting negative effects.

**Hannah Brass**, American Civil Liberties Union of Idaho, testified in opposition to **H 205**, stating that this bill will negatively impact free speech, as some appropriate sites will be blocked by filters, while some inappropriate sites will be missed.

**Rep. Wills** returned the gavel to **Chairman Nonini**.

**Julie Lynde**, Cornerstone Family Council, and **Craig Cobia**, Citizens for Decency, testified in favor of **H 205**, emphasizing the negative impacts that pornographic material has, particularly to youth, and stated that libraries are responsible to ensure the safety of its young patrons, and to create an atmosphere that encourages research and learning.

**Tom Moss**, representing himself, testified in favor of **H 205**, stating that based on his research as an attorney, this bill does not infringe upon the freedom of speech or privacy and prevents criminal conduct from occurring, as most cyber criminals prefer to use public computers to engage in illicit behaviors, instead of using their home computers.

**Dylan Baker**, Ada Community Libraries, testified in opposition to **H 205**, and explained the costs of filters and professional development that would be required by this legislation.

In response to Committee questions, **Mr. Baker** stated that Ada County currently uses filters and that all staff have been trained in using them.

**Jillian Subach**, Boise Public Library, testified in opposition to **H 205**, stating that the issue of viewing pornographic material on public computers does not occur very often, and that those who have been asked to leave as a result of viewing inappropriate materials have not re-offended. Ms. Subach added that filters cannot accurately determine the content or intent of websites, and this legislation leaves room for human subjectivity, by allowing librarians to determine what is "appropriate research" and what is not.

**Tim Brady**, representing himself, testified in favor of **H 205** and described some of his experiences investigating cyber crimes, some of which have been perpetrated using computers at the public library.

In response to Committee questions, **Mr. Brady** stated that some crimes involved sending and receiving emails, while others involved navigating pornographic websites. Mr. Brady added that in one case, a man had been using public library computers for over a year to view pornographic material and was never caught.

**Vice Chairman Shirley** closed by saying that this bill was not adversarial to libraries, but designed to protect youth. Vice Chairman Shirley added that all concerns raised in today's testimony were addressed in the Supreme Court case of the U.S. versus the American Library Association, in which the Supreme Court ruled in favor of the U.S. to use filters to protect children from obscene and pornographic images.

- MOTION:** **Rep. Nielsen** moved to send **H 205** to floor with a **DO PASS** recommendation.
- SUBSTITUTE MOTION:** **Rep. Chew** offered a substitute motion, to **HOLD** the bill in Committee; and spoke to her motion stating that filters do not seem to fix the problem and would require additional funds during a time of economic downturn. Rep. Chew suggested that the different stakeholders collaborate over the next year to create another solution.
- ROLL CALL VOTE ON SUBSTITUTE MOTION:** Roll call vote was requested on the substitute motion. Substitute motion **failed, 1 aye, 15 nay, 2 absent/excused. Voting in favor** of the substitute motion: **Rep. Chew. Voting in opposition** to the substitute motion: **Reps. Shirley, Block, Nielsen, Shepherd, Wills, Marriott, Thayn, Hartgen, Bateman, Boyle, DeMordaunt, Nessel, Pence, Cronin and Chairman Nonini.** Absent/Excused: **Reps. Trail and Chadderdon.**
- VOTE ON ORIGINAL MOTION:** The original motion, to send **H 205** to the floor with a **DO PASS** recommendation **carried on voice vote. Vice Chairman Shirley** will sponsor the bill on the floor.
- Chairman Nonini** informed Committee that the remaining agenda items would be moved to Friday's agenda.
- ADJOURN:** There being no further business to come before the Committee, the meeting was adjourned at 9:53 a.m.

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Representative Nonini  
Chair

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Amber Messa  
Secretary

AGENDA  
HOUSE EDUCATION COMMITTEE  
8:00 A.M.  
Room EW41  
Thursday, March 10, 2011

<b>SUBJECT</b>	<b>DESCRIPTION</b>	<b>PRESENTER</b>
	Public Schools Funding Formula Presentation	Tim Hill, Deputy Superintendent, State Department of Education

***If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman Nonini  
Vice Chair Shirley  
Rep Trail  
Rep Block  
Rep Nielsen  
Rep Chadderdon(Chadderdon)  
Rep Shepherd  
Rep Wills  
Rep Marriott  
Rep Thayn  
Rep Hartgen  
Rep Bateman  
Rep Boyle  
Rep DeMordaunt  
Rep Nasset  
Rep Pence  
Rep Chew  
Rep Cronin

COMMITTEE SECRETARY

Amber Messa  
Room: EW49  
Phone: (208) 332-1148  
email: amessa@house.idaho.gov

MINUTES  
**HOUSE EDUCATION COMMITTEE**

**DATE:** Thursday, March 10, 2011

**TIME:** 8:00 A.M.

**PLACE:** Room EW41

**MEMBERS:** Chairman Nonini, Vice Chairman Shirley, Representative(s) Trail, Block, Nielsen, Chadderdon (Chadderdon), Shepherd, Wills, Marriott, Thayn, Hartgen, Bateman, Boyle, DeMordaunt, Nessel, Pence, Chew, Cronin

**ABSENT/  
EXCUSED:** Representative(s) Trail, Nielsen, Chadderdon (Chadderdon)

**GUESTS:** Tim Hill, State Department of Education (SDE); Wendy Lee, SDE; Julie Oberk, SDE; Sherri Wood, Idaho Education Association; Harold Ott, Idaho Rural Schools Association (IRSA); Phillip Homer, Idaho Association of School Administrators

**Chairman Nonini** called the meeting to order at 8:06 a.m.

**Tim Hill**, State Department of Education, discussed the funding formula for public schools. State funds are distributed according to statute and appropriation intent language.

**Mr. Hill** explained how Average Daily Attendance (ADA) is calculated from data provided by public schools. Whereas there were previously three reporting periods a year, the new longitudinal data system allows for data to be collected on a monthly basis. Kindergartners in Idaho are only funded for a half day, with grades 1-12 requiring a minimum of four hours of attendance for full funding. Mr. Hill explained that the district calculates the best 28 weeks of attendance and this figure drives the need for discretionary money. He further explained that poor attendance will drive funding down. The first 10 weeks of the school year drives the money given for salary and benefits.

ADA is then converted to Support Unit and divided by a divisor. Divisors are dependent on the ADA and the distribution of grade categories (more funding goes to secondary schools than elementary and kindergarten).

**Mr. Hill** explained the Experience and Education Multiplier index, which shows the support units given to teachers based on their education and years of experience. Mr. Hill emphasized that teacher salary does not encourage or sway hiring decisions, as most, if not all, of teacher salaries are paid by the state. If there is a gap in funding, it is minimal and districts are able to compensate in one form or another.

**Chairman Nonini** handed the gavel over to **Vice Chairman Shirley**.

**Mr. Hill** summarized his presentation by stating that the amount per ADA that a School District or Charter School receives is generally based on the size (in terms of ADA), the student mix (grade level, alternative school populations, at risk students, etc) and the staff hired (experience and education multiplier).

In response to a question regarding other states' formulas, **Phil Homer**, Idaho Association of School Administrators, stated that Idaho's formula was patterned after the state of Washington's.

Regarding a constituent complaint that charter schools receive more funding than public schools, **Mr. Hill** explained that charter schools are evenly dispersed throughout both the highest and lowest funded schools.

In response to a question about past trends regarding instructional indices, **Mr. Hill** stated that teacher multipliers increased until 2006, after which they stayed constant and until the multipliers began reducing in 2010. Mr. Hill commented that this is related to the teacher pay cap put in place by the legislature in 2004 and added that it appears the distribution has leveled out as higher paid teachers are retiring.

**Vice Chairman Shirley** returned the gavel to **Chairman Nonini**.

Responding to a question regarding how per pupil expenditure is determined, **Mr. Hill** stated that each year the state submits data to the National Center for Education Statistics which is compiled into a financial summary.

**ADJOURN:** There being no further business to come before the Committee, the meeting was adjourned at 9:35 a.m.

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Representative Nonini  
Chair

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Amber Messa  
Secretary

AGENDA  
HOUSE EDUCATION COMMITTEE  
8:00 A.M.  
Room EW41  
Friday, March 11, 2011

<b>SUBJECT</b>	<b>DESCRIPTION</b>	<b>PRESENTER</b>
<a href="#"><u>RS20549</u></a>	Public Records	Rep. Nonini
<a href="#"><u>RS20555</u></a>	Health Care Cost Transparency Act	Rep. Nonini
<a href="#"><u>RS20476</u></a>	Statute of Responsibility	Rep. Thompson
<a href="#"><u>H 201</u></a>	School Districts, Employees	Reps. Wood (35), Nonini

***If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman Nonini  
Vice Chair Shirley  
Rep Trail  
Rep Block  
Rep Nielsen  
Rep Chadderdon(Chadderdon)  
Rep Shepherd  
Rep Wills  
Rep Marriott  
Rep Thayn  
Rep Hartgen  
Rep Bateman  
Rep Boyle  
Rep DeMordaunt  
Rep Nessel  
Rep Pence  
Rep Chew  
Rep Cronin

COMMITTEE SECRETARY

Amber Messa  
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Phone: (208) 332-1148  
email: amessa@house.idaho.gov

MINUTES  
**HOUSE EDUCATION COMMITTEE**

**DATE:** Friday, March 11, 2011

**TIME:** 8:00 A.M.

**PLACE:** Room EW41

**MEMBERS:** Chairman Nonini, Vice Chairman Shirley, Representative(s) Trail, Block, Nielsen, Chadderdon (Chadderdon), Shepherd, Wills, Marriott, Thayn, Hartgen, Bateman, Boyle, DeMordaunt, Nessel, Pence, Chew, Cronin

**ABSENT/  
EXCUSED:** Representative(s) Trail, Chadderdon (Chadderdon), Wills

**GUESTS:** Don Drum, Public Employee Retirement System of Idaho (PERSI); Julile Taylor, Blue Cross of Idaho; Sherri Wood, Idaho Education Association (IEA); Toni Lawson, Idaho Hospital Association; Dennis Tanikuni, Idaho Farm Bureau; Harold Ott, Idaho Rural Schools Association (IRSA); Phillip Homer, Idaho Association of School Administrators (IASA); Steve Millard, Idaho Hospital Association; Christina Linder, State Department of Education (SDE); Luci Willits, SDE; Jess Harrison, Idaho School Boards Administrators; Bert Marley, IEA

**Chairman Nonini** called the meeting to order at 8:03 a.m.

**MOTION:** **Rep. Thayn** moved to approve the minutes of March 7, 2011; **motion carried on voice vote.**

**MOTION:** **Rep. Pence** moved to approve the minutes of March 9, 2011; **motion carried on voice vote.**

**MOTION:** **Rep. Thayn** moved to approve the minutes of March 10, 2011; **motion carried on voice vote.**

**RS 20549:** **Rep. Hartgen** presented **RS 20549**, proposed legislation that would require non-governmental organizations participating in the Public Employee Retirement System of Idaho (PERSI) to comply with public records provisions. Rep. Hartgen explained that the purpose of this legislation was to increase transparency.

In response to Committee questions, **Don Drum**, PERSI, explained that this legislation was moved from PERSI statute to the public records statutes to eliminate potential problems, such as PERSI being stuck in the middle should a lawsuit arise.

Regarding what kinds of records would be public, **Rep. Hartgen** stated that only PERSI records would become public, and personnel records, among others, would be exempt.

**MOTION:** **Rep. Shepherd** moved to introduce **RS 20549**; **motion carried on voice vote.**

**Chairman Nonini** handed the gavel over to **Vice Chairman Shirley**.

**RS 20555:** **Chairman Nonini** presented **RS 20555**, proposed legislation that would require hospitals to show their rates for the 25 most common procedures, along with reimbursement rates, online. Chairman Nonini explained that currently Blue Cross allows doctors with a password to access this information but that it should be available to all consumers.

In response to a question regarding negotiated rates, **Chairman Nonini** stated that this legislation would require medical facilities to post the rates of the procedures and insurance carriers to post the reimbursement rates.

**Rep. Nasset** wished to be recorded as stating that he is on the Board of Regence Blue Shield, but will be voting.

Responding to a question about the logistics of this legislation, **Chairman Nonini** stated that he has consulted with two stakeholders and they have estimated the costs of starting this website to be between \$10,000 and \$14,000. Chairman Nonini added that hospitals may charge different rates for the same procedures, and therefore, hospitals would be required to list the negotiated rates for the top 25 procedures for each insurance plan (traditional, PPO, etc).

**MOTION:**

**Rep. Marriott** moved to introduce **RS 20555**; **motion carried on voice vote.**

**H 201:**

Former **Rep. Jarvis** presented **H 201**, proposed legislation that would make it easier for Idaho to reject certification for teachers and school administrators who have negative conditions attached to their certificates, or who are under investigation for ethical violations, until all investigations are cleared.

**Rep. Wood (35)** went through the bill section by section, explaining the changes and additions to the Committee, emphasizing that much of the language regarding teachers has not been changed, but that the bill seeks to further include administrators.

In response to Committee questions, **Rep. Wood (35)** stated that past job performance with the most recent previous employer would be checked for both teachers and administrators attempting to gain or renew certification in Idaho.

Regarding background checks, **Christina Linder**, State Department of Education, stated that background checks are required under a different section and that it would be left to local control to decide how far back they want to obtain past job performance records.

Responding to a question regarding out of state applicants, **Rep. Wood (35)** stated that under this bill, teachers would be required to sign a written release of past job performance records, which would relieve school districts of any future retaliation efforts. **Ms. Linder** added that school districts cannot compel out of state parties to release information but that she has had experience with school districts who admit their hands are tied and offer information such as recommending that teachers are not hired until pending accusations are resolved.

Regarding stakeholder opinions, **Rep. Wood (35)** stated that the school boards are very interested in this legislation, as they feel their hands have been tied in the past. The Idaho Education Association opposes some aspects of this bill.

Responding to Committee concerns, **Rep. Wood (35)** stated that the code for teacher ethics has improved a great deal and this bill attempts to hold administrators to the same strict code of conduct. **Rep. Wood (35)** added that a hearing process has been included to expunge all unsubstantiated claims made against teachers regarding physical, verbal or sexual misconduct.

**Sherri Wood**, Idaho Education Association (IEA), testified in opposition of **H 201**, stating that although the IEA supports the effort to prevent those convicted of ethical violations from being hired in schools, there were some concerns with this legislation. Ms. Wood stated that this legislation mandates an expensive hiring process and may discriminate by requiring some applicants to share information and not others. Ms. Wood stated that it is also unfair to those unfairly accused and would prohibit school boards from entering into a contract that would expunge unsubstantiated complaints against the teachers that do not fall into the categories of physical, verbal or sexual misconduct (such as theft.)

In response to Committee questions, **Ms. Wood** stated that the IEA was involved in creating the first pieces of this legislation, but that there were concerns regarding how far back districts would look into past job performance records and the unintended consequences that may occur if administrators have personality conflicts with staff but feel that are "acting in good faith" by recommending they not get hired in another district.

In response to suggestion of a possible addition to include "other unsubstantiated complaints" in addition to physical, verbal and sexual misconduct, **Rep. Wood (35)** stated that this was covered in personnel code and she did not feel it was necessary.

**MOTION:** **Rep. Marriott** moved to send **H 201** to the floor with a **DO PASS** recommendation.

**Rep. Cronin** spoke in opposition of the motion, and described a personal experience he had regarding a fellow teacher who accused him of discrimination, which was unfounded and found to be unsubstantiated. Rep. Cronin expressed concern that should this bill be passed, teachers may have to continually defend themselves in order to keep their jobs or apply for other positions, no matter how much time passed or how ridiculous the false accusation.

**ROLL CALL VOTE ON MOTION:** A roll call vote was requested for the motion to send **H 201** to the floor with a **DO PASS** recommendation. Motion **passed, 12 aye, 3 nay, absent/excused: 3. Voting in favor** of the motion: **Reps. Shirley, Block, Nielsen, Shepherd, Marriott, Thayn, Hartgen, Bateman, Boyle, DeMordaunt, Nessel and Chairman Nonini. Voting in opposition** to the motion: **Reps. Pence, Chew and Cronin. Absent/excused: Reps. Trail, Chadderdon and Wills.**

**ADJOURN:** There being no further business to come before the Committee, the meeting was adjourned at 9:44 a.m.

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Representative Nonini  
Chair

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Amber Messa  
Secretary

AGENDA  
HOUSE EDUCATION COMMITTEE  
8:30 A.M.  
Room EW41  
Monday, March 14, 2011

<b>SUBJECT</b>	<b>DESCRIPTION</b>	<b>PRESENTER</b>
	Alternative School Presentation	General Sayler, Idaho National Guard

***If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman Nonini  
Vice Chair Shirley  
Rep Trail  
Rep Block  
Rep Nielsen  
Rep Chadderdon(Chadderdon)  
Rep Shepherd  
Rep Wills  
Rep Marriott  
Rep Thayn  
Rep Hartgen  
Rep Bateman  
Rep Boyle  
Rep DeMordaunt  
Rep Nasset  
Rep Pence  
Rep Chew  
Rep Cronin

COMMITTEE SECRETARY

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MINUTES  
**HOUSE EDUCATION COMMITTEE**

**DATE:** Monday, March 14, 2011  
**TIME:** 8:30 A.M.  
**PLACE:** Room EW41  
**MEMBERS:** Chairman Nonini, Vice Chairman Shirley, Representative(s) Trail, Block, Nielsen, Chadderdon (Chadderdon), Shepherd, Wills, Marriott, Thayn, Hartgen, Bateman, Boyle, DeMordaunt, Nessel, Pence, Chew, Cronin  
**ABSENT/  
EXCUSED:** Representative(s) Block, Boyle, Cronin  
**GUESTS:** General Gary Saylor, National Guard; Heather Callahan, National Guard; Bert Marley, Idaho Education Association (IEA); Sherri Wood, IEA; Phil Homer, Idaho Association of School Administrators

**Chairman Nonini** called the meeting to order at 8:32 a.m.

**General Gary Saylor**, Idaho National Guard, presented the National Guard Youth ChalleNGe program, which is new to Idaho and is scheduled to be implemented in July 2012 in Pierce, Idaho. Gen. Saylor explained that the program begins with a two week pre-challenge phase, which is similar to a boot camp. The students then complete a five month residential phase that involves community service, teamwork-focused programming and a rigorous education component. Upon completion of the program, students complete a one year post-residential phase, during which students regularly meet with a mentor, who encourages continued student growth and implementation of the student's life plans.

**Gen. Saylor** explained that applicants are selected by a Committee, and must be between the ages of 16 and 18, be a high school dropout, unemployed, drug free and have no felony convictions. Gen. Saylor added that participation is designed to be voluntary, and cannot be court mandated.

**Gen. Saylor** explained that Pierce, Idaho was selected because there is a vacated school that can be used for the program. The ChalleNGe program is 75% federally funded, with the remaining 25% coming from the state. Gen. Saylor informed the Committee that this program, although it costs more per student than traditional high schools, costs less than other alternative schools and has a higher success rate. In order to alleviate costs to the state, the Orofino school district has been consulted and has agreed to submit the paperwork to allow the ChalleNGe program to achieve alternative school status, thereby allowing it to receive Average Daily Attendance (ADA) funding. Private donors have also been contacted to help with start-up and long-term costs.

In response to a question regarding student enrollment, **Gen. Saylor** stated that for the first year, the program's goal is to have 100 students, so they will need between 120 and 130 students to make up for students that leave the program early. The school being used has a capacity of 300 students, and if the program were to grow (as it has done so in other states), more students can be accepted. Gen. Saylor added that modular units are to be used for student housing and it is easy to add more modules to accommodate student growth. If the program were to see substantial growth, more locations around the state may be considered at a later date.

Regarding program advertisement, **Gen. Saylor** stated that the first place they will advertise will be school counselors, as they are required to follow up with all students that drop out. Gen. Saylor added that in other states, the first two years typically see lower enrollment but by the third year, after word of the program has spread, programs see a huge increase in the number of applications, often times exceeding program capacity.

Responding to a question about program graduation, **Gen. Saylor** explained that in order to graduate from the program, students need to show some level of improvement between their entrance exam and the final exam given after five months of program participation. Gen. Saylor stated that goals vary between states but this program's goal will be to have students attain their high school diploma, with earning a G.E.D as the next preferred goal. This program will be connected into the Idaho Education Network, and students will be able to complete online classes.

Regarding how the school will be run, **Gen. Saylor** explained that it will be similar to a military preparatory school and students will be issued a uniform, they will march in formation and will not be able to leave the program until graduation, unless they withdraw from the program.

Regarding program costs, **Gen. Saylor** stated that \$990,000 is needed for start-up costs, and that paperwork has already been started to create a giving foundation. Gen. Saylor also mentioned that a donor has offered to pay half of the state's share of costs for the first four years, and after an evaluation in the program's third year, will consider long term funding. The program will not need state money until 2013.

In response to a question regarding military enlistment, **Gen. Saylor** stated that about half of program graduates go on to college or vocational schools, and that 18% enlist in the military upon program completion.

Regarding teacher certification, **Gen. Saylor** informed the Committee that all teaching and counseling staff will be required to have the same certification as Idaho teachers in traditional schools. Other employees will be hired, both civilian and National Guard members, to help teach the other classes, such as hygiene, self esteem, etc.

In clarifying status offenses, **Gen. Saylor** explained that applicants were only permitted if their offenses were minor, such as misdemeanor charges for underage drinking or driving infractions.

In response to a question regarding Average Daily Attendance (ADA) funding, **Gen. Saylor** stated that, according to the estimated per student costs, ADA funding should cover 80% of the state's costs. Gen. Saylor added that the goal of this program is not to make money, and if ADA funding covers all costs there would be no need to ask the state for further funding.

Responding to a question regarding community support, **Gen. Saylor** stated that the community has been incredibly supportive and excited about this program. Gen. Saylor explained that since the closing of the Pierce school, the students have been moved to a school that has a four day schedule, and that school has offered to allow ChalleNGe program participants to use their woodworking and vocational training facilities on their "off day" each week.

In response to a question regarding grant funding, **Gen. Saylor** explained that the Department of Commerce has a federal grant to encourage job growth in rural areas, and has asked that this grant be transferred to the Military Division to be used toward the start-up costs for the ChalleNGe program. The grant is for \$400,000 and after state funding the program would only need about \$250,000 to begin the program by July 2012.

In response to a question of how the Committee could help get this program underway, **Gen. Saylor** stated that he would welcome a letter of support from the Committee to the Joint Finance and Appropriations Committee.

**MOTION:** **Rep. Thayn** moved that the Committee draft a letter of support for the ChalleNGe program;**motion carried on voice vote.**

**ADJOURN:** There being no further business to come before the Committee, the meeting was adjourned at 9:26 a.m.

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Representative Nonini  
Chair

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Amber Messa  
Secretary

AGENDA  
HOUSE EDUCATION COMMITTEE  
8:00 A.M.  
Room EW41  
Tuesday, March 15, 2011

SUBJECT	DESCRIPTION	PRESENTER
	Committee Discussion over Public Education Budget	

***If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman Nonini  
Vice Chair Shirley  
Rep Trail  
Rep Block  
Rep Nielsen  
Rep Chadderdon(Chadderdon)  
Rep Shepherd  
Rep Wills  
Rep Marriott  
Rep Thayn  
Rep Hartgen  
Rep Bateman  
Rep Boyle  
Rep DeMordaunt  
Rep Nessel  
Rep Pence  
Rep Chew  
Rep Cronin

COMMITTEE SECRETARY

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email: [amessa@house.idaho.gov](mailto:amessa@house.idaho.gov)

MINUTES  
**HOUSE EDUCATION COMMITTEE**

**DATE:** Tuesday, March 15, 2011

**TIME:** 8:00 A.M.

**PLACE:** Room EW41

**MEMBERS:** Chairman Nonini, Vice Chairman Shirley, Representative(s) Trail, Block, Nielsen, Chadderdon (Chadderdon), Shepherd, Wills, Marriott, Thayn, Hartgen, Bateman, Boyle, DeMordaunt, Nessel, Pence, Chew, Cronin

**ABSENT/  
EXCUSED:** Representative(s) Chadderdon (Chadderdon), Cronin

**GUESTS:** Phil Homer, Idaho Association of School Administrators; Bert Marley and Sherri Wood, Idaho Education Association; Tim Hill, Deputy Superintendent, State Department of Education; Mark Browning, State Board of Education; Matthew Malek, Risch Pisca, PLLC; Karen Echeverria, Idaho School Boards Association; Paul Headlee, Principal Budget Analyst, Public Schools and Higher Education

**Chairman Nonini** called the meeting to order at 8:07 a.m.

**Paul Headlee**, Principal Budget Analyst, Public Schools and Higher Education, presented an overview of the FY 2012 Public School Budget. This scenario was crafted by **Senator Mortimer** and presented in the Senate Education Committee. The primary number driving the budget is \$1.2 billion from the General Fund, which represents a decrease of one-half of one percent (0.50%). Total State Appropriations include General Fund, Dedicated Funds and all Federal Funds.

The Committee discussed in length the various categories itemized in the budget breakout. This scenario includes an increase to the Division of Teachers of four hundred fifty basis points (4.50%), while realizing a decrease in Total State Appropriations of two hundred thirty basis points (2.30%) over FY 2011. It was noted by the Committee that it is difficult to have a discussion about allocating funds when the budget hasn't been finalized.

In response to questions, **Mr. Headlee** stated that the Joint Finance and Appropriations Committee (JFAC) used a growth projection of three percent (3.00%), even though most economists projected six hundred ninety basis points (6.90%). He also pointed out that funds appropriated to the Division of Children's Programs are used solely for children, not transportation expenditure, etc.

**Mr. Headlee** also noted that State Discretionary Fund (SDF) expenditures are determined at the district level by school boards. He has been told that a large portion of these monies are used to pay utilities and premiums for employee benefits, such as medical and life insurance. The Committee spent a good deal of time discussing this line item, noting that it comprises nearly one quarter of the General Funds appropriated for FY 2012. It was suggested that the premium split should be reviewed to ensure it is in line with public sector practices, perhaps for FY 2013. **Karen Echeverria**, Idaho School Boards Association, offered to provide each committee member data showing the total amount for medical insurance benefits.

**Tim Hill**, Deputy Superintendent, State Department of Education, reported that each district tracks expenditures from the SDF, and these are available in the School District / Charter School Financial Summary Reports on the department's website. However, he agreed that premiums and utilities comprise the bulk of the SDF expenditures.

The question came up about the appropriate stage to discuss raising revenues, and **Chairman Nonini** suggested that drafting legislation to be heard by the Revenue and Taxation Committee would be the best approach.

Due to time restraints, **Chairman Nonini** informed the Committee that further discussion will be held tomorrow at 8:00 a.m.

**ADJOURN:** There being no further business to come before the Committee, the meeting was adjourned at 9:24 a.m.

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Representative Nonini  
Chair

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Jana Filer  
Secretary

AGENDA  
HOUSE EDUCATION COMMITTEE  
8:00 A.M.  
Room EW41  
Wednesday, March 16, 2011

SUBJECT	DESCRIPTION	PRESENTER
	Committee Discussion on Public Education Budget	

***If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman Nonini  
Vice Chair Shirley  
Rep Trail  
Rep Block  
Rep Nielsen  
Rep Chadderdon(Chadderdon)  
Rep Shepherd  
Rep Wills  
Rep Marriott  
Rep Thayn  
Rep Hartgen  
Rep Bateman  
Rep Boyle  
Rep DeMordaunt  
Rep Nessel  
Rep Pence  
Rep Chew  
Rep Cronin

COMMITTEE SECRETARY

Amber Messa  
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Phone: (208) 332-1148  
email: amessa@house.idaho.gov

MINUTES  
**HOUSE EDUCATION COMMITTEE**

**DATE:** Wednesday, March 16, 2011

**TIME:** 8:00 A.M.

**PLACE:** Room EW41

**MEMBERS:** Chairman Nonini, Vice Chairman Shirley, Representative(s) Trail, Block, Nielsen, Chadderdon (Chadderdon), Shepherd, Wills, Marriott, Thayn, Hartgen, Bateman, Boyle, DeMordaunt, Nessel, Pence, Chew, Cronin

**ABSENT/  
EXCUSED:** Representative(s) Chadderdon (Chadderdon), Pence, Chew

**GUESTS:** Matthew Malek, Risch-Pisca PLLC; Harold Ott, Idaho Rural Schools Association (IRSA); Phillip Homer, Idaho Association of School Administrators (IASA); Mark Browning, State Board of Education; Jess Harrison, Idaho School Boards Administrators; Luci Willits, Department of Education; Byron Yankey, IASA; Bert Marley, Idaho Education Association; Nancy Gregory, Boise Schools

**Chairman Nonini** called the meeting to order at 9:10 a.m.

**MOTION:** **Rep Thayn** moved to approve the minutes of March 11, 2011; **motion carried on voice vote.**

**MOTION:** **Rep Thayn** moved to approve the minutes of March 14, 2011; **motion carried on voice vote.**

**Chairman Nonini** informed the Committee that he has seen a draft letter from **Sen. Goedde** to the Joint Finance and Appropriations Committee (JFAC) stating that all Committee members supported at least one part of the third education reform bill, but that no consensus could be reached regarding next year's budget. Chairman Nonini stated that he would like a similar letter to be drafted from the House Education Committee.

In recapping Committee discussion from yesterday, **Vice Chairman Shirley** stated that it appeared all Committee members were uncomfortable with the removal of 99% funding protection but could offer no alternative solution. Vice Chairman Shirley added that the third bill is said to have eliminated the increased class sizes and adjusted the technology component to provide teachers with mobile devices in 2013, with students receiving mobile devices in 2014. The third bill will also restore the salary grid and give discretion to districts regarding online classes. Vice Chairman Shirley noted that the graduation guidelines set by the State Department of Education may be changed to include mandatory online classes.

The Committee discussed the causes of 99% funding protection, with members noting that student population changes can be caused by economic changes in the community, such as a factory closure, migrant farmworker students moving to other areas, students from military families being relocated out of state, and students leaving to attend a new charter school.

**Reps. Wills** and **Trail** stated their support of creating an interim Committee to further investigate why students leave school districts, whether 99% protection funding is double funding students and how the elimination or decrease of 99% protection funding would affect school districts.

In response to Committee questions, **Chairman Nonini** stated that the data regarding decline in student enrollment is available, but changes every year between districts. The only constant factor is that on average, 99% protection funding costs the state between \$5.5 and \$6 million a year.

The Committee discussed charter schools and whether limits need to be set to decrease the problems public schools have in accurately estimating student enrollment when a new charter school opens. **Chairman Nonini** stated that there is already a limit in place, of a maximum of 6 charter schools opening per year, and that this number has never been met. Chairman Nonini added that he is hesitant to place a greater limit on charter schools with 7,000 students currently on waiting lists.

Regarding the time of year charter schools are able to open, **Chairman Nonini** stated that there is a deadline in place for schools to open in September and school districts are aware of potential charter schools as they read the applications each year.

In clarifying questions regarding the restoration of the salary grid, **Luci Willits**, Department of Education, explained that the original bill, **S 1113**, restored the salary grid and replenished the funds that had been frozen for the past two years regarding teacher experience. The updated bill will restore the grid but not replenish the two year loss.

Responding to a question about intent language in the revised third bill, **Paul Headlee**, Legislative Services Office, stated that nothing prevents intent language from being used if a Committee member makes a motion toward a bill, and that the Joint Finance and Appropriations Committee works with bill language once it is passed, whether the language is specific or includes intent language.

In regards to a question about school district consolidation, **Chairman Nonini** stated that it will not be included in the third education reform bill, but that it may benefit the state to have some districts, with declining student enrollment, consolidate.

**ADJOURN:**

There being no further business before the Committee, the meeting was adjourned at 8:43 a.m.

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Representative Nonini  
Chair

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Amber Messa  
Secretary

AGENDA  
HOUSE EDUCATION COMMITTEE  
8:00 A.M.  
Room EW41  
Monday, March 21, 2011

SUBJECT	DESCRIPTION	PRESENTER
	Presentation from Director of Boise Philharmonic	Robert Franz

***If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman Nonini  
Vice Chair Shirley  
Rep Trail  
Rep Block  
Rep Nielsen  
Rep Chadderdon(Chadderdon)  
Rep Shepherd  
Rep Wills  
Rep Marriott  
Rep Thayn  
Rep Hartgen  
Rep Bateman  
Rep Boyle  
Rep DeMordaunt  
Rep Nessel  
Rep Pence  
Rep Chew  
Rep Cronin

COMMITTEE SECRETARY

Amber Messa  
Room: EW49  
Phone: (208) 332-1148  
email: [amessa@house.idaho.gov](mailto:amessa@house.idaho.gov)

MINUTES  
**HOUSE EDUCATION COMMITTEE**

**DATE:** Monday, March 21, 2011

**TIME:** 8:00 A.M.

**PLACE:** Room EW41

**MEMBERS:** Chairman Nonini, Vice Chairman Shirley, Representative(s) Trail, Block, Nielsen, Chadderdon (Chadderdon), Shepherd, Wills, Marriott, Thayn, Hartgen, Bateman, Boyle, DeMordaunt, Nessel, Pence, Chew, Cronin

**ABSENT/  
EXCUSED:** Representative(s) Trail, Block, Nielsen, Chadderdon (Chadderdon), Bateman

**GUESTS:** Robert Franz, Boise Philharmonic; Sherri Wood, Idaho Education Association; Jan Sylvester; Harold Ott, Idaho Rural Schools Association; Phillip Homer, Idaho Association of School Administrators; Mike Winter, Boise Philharmonic

**Chairman Nonini** called the meeting to order at 8:07 a.m.

**MOTION:** **Rep. Thayn** moved to approve the minutes of March 15, 2011; **motion carried on voice vote.**

**MOTION:** **Rep. Thayn** moved to approve the minutes of March 16, 2011; **motion carried on voice vote.**

**Robert Franz**, Director of the Boise Philharmonic, discussed the importance of music education, particularly among elementary school aged children. Mr. Franz mentioned several scientific studies that have shown that music positively affects brain development and discussed a project he had led in North Carolina.

The goal of this research project was to integrate music into the school curriculum "in every way possible." The school chosen was considered "at risk," with only 44% of the student body passing standardized tests. After three years, 88% of students passed the state's standardized tests. Scientists from the Bowman Grey School of Medicine were asked to analyze the results of the project. They discovered that the students had developed a high level of active listening skills, which helped increase literacy, which affected student success in all other subjects.

**Mr. Franz** informed the Committee of a performance called "A Musical Tour of the Solar System," in which he collaborated, with former astronaut Barbara Morgan. Mr. Franz also works with Superintendents to put a salaried performer into second grade classrooms in the Treasure Valley, to help teach active listening skills.

In response to Committee questions about the second grade visits, **Mr. Franz** explained that each year, 14 salaried performers make 276 visits to second grade classrooms. Each performer is "adopted" by classrooms, so students feel a genuine connection to their performer. The visits last between 30 and 45 minutes, with the musician performing a piece of music and then asking the students questions about what they hear. The musicians then leave a curriculum for the teachers so the lessons can continue until the fourth grade, when the students visit the Philharmonic to watch a performance.

Regarding a question about the difference between "music" and "classical music", **Mr. Franz** stated that classical music was ideal to teach active listening skills as it is more complex than the average music heard on the radio.

Responding to a question regarding suggestions for parents, **Mr. Franz** stated that the Philharmonic performs a family concert series every year, and exposing children to classical musical will help them increase their basic listening skills. Mr. Franz also recommends piano or violin lessons, because a child's brain stem closes at age ten, and studies have shown that greater brain development occurs in children who are more engaged in music.

In response to a question regarding rural schools, **Mr. Franz** stated that outreach efforts are a constant topic of discussion, and he would love to have all school districts in Idaho have at least one encounter with a professional musician each year from grades K through 12.

Regarding partnerships with higher education institutions, **Mr. Franz** stated that the Boise Philharmonic has great relationships with the College of Idaho, Boise State University and Northwest Nazarene University. Mr. Franz gave examples of collaborative efforts with these institutions, such as Philharmonic salaried performers teaching music classes for the universities.

Responding to a question regarding public versus private funding, **Mr. Franz** stated that money typically follows high quality programs, but that there must be a balance between state funding and private donations, as it is difficult for one entity to solely fund all music programs.

When asked about the impact of budget cuts on the fine arts, **Mr. Franz** stated that he has personally seen the effects of budget cuts, especially in Nampa, where the strings program is in jeopardy of being eliminated. Also, the yearly student field trip to see a Philharmonic performance would not have happened without a private organization paying transportation costs. Mr. Franz explained that cutting music in the elementary schools has particularly negative impacts, as the greatest impact on brain development is made in children up to ten years of age. Mr. Franz stated that music teachers should be viewed as a resource to other teachers, and that it would be beneficial to train new teachers how to incorporate music into their daily curriculum, no matter what they teach.

Regarding follow-up after second grade visits, **Mr. Franz** stated that in addition to the curriculum that teachers receive after a visit by a salaried performer, the Philharmonic remains in contact with the school throughout the year and students are able to receive tickets at a reduced price all year.

**ADJOURN:** There being no further business to come before the Committee, the meeting was adjourned at 8:53 a.m.

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Representative Nonini  
Chair

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Amber Messa  
Secretary

AGENDA  
HOUSE EDUCATION COMMITTEE  
8:00 A.M.  
Room EW41  
Tuesday, March 22, 2011

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SUBJECT	DESCRIPTION	PRESENTER
<a href="#">S 1105</a>	Student Harassment/Bullying	Rep. Perry

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***If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman Nonini  
Vice Chair Shirley  
Rep Trail  
Rep Block  
Rep Nielsen  
Rep Chadderdon(Chadderdon)  
Rep Shepherd  
Rep Wills  
Rep Marriott  
Rep Thayn  
Rep Hartgen  
Rep Bateman  
Rep Boyle  
Rep DeMordaunt  
Rep Nasset  
Rep Pence  
Rep Chew  
Rep Cronin

COMMITTEE SECRETARY

Amber Messa  
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MINUTES  
**HOUSE EDUCATION COMMITTEE**

**DATE:** Tuesday, March 22, 2011

**TIME:** 8:00 A.M.

**PLACE:** Room EW41

**MEMBERS:** Chairman Nonini, Vice Chairman Shirley, Representative(s) Trail, Block, Nielsen, Chadderdon (Chadderdon), Shepherd, Wills, Marriott, Thayn, Hartgen, Bateman, Boyle, DeMordaunt, Nessel, Pence, Chew, Cronin

**ABSENT/  
EXCUSED:** Representative(s) Block

**GUESTS:** Rachel Raue, Kelly Burgess and students from the Sacred Heart School Bully Prevention Team; Sherri Wood, Idaho Education Association (IEA); Bert Marley, IEA; Harold Ott, Idaho Rural Schools Association (IRSA); Phillip Homer, Idaho Association of School Administrators (IASA); Krista Perry, Idaho Safe Schools Coalition; Hannah Brass, ACLU of Idaho; Kelly Miller, Idaho Coalition Against Sexual and Domestic Violence; Amy Herzfeld, Idaho Human Rights Education Center (IHREC); Dax Chizom, IHREC; Kim Kane, Suicide Prevention Network of Idaho; Nichol Harris, Devonte Harris, Terry Crozier, Mistie Tolman, Kathie Garrett, Idaho Council on Suicide Prevention; Kelly Moore, Sam Moore, Jess Harrison, Idaho School Boards Administrators; Luci Willits, State Department of Education; Matt McCarter, SDE

**Chairman Nonini** called the meeting to order at 8:03 a.m.

**S 1105:** **Rep. Perry** presented **S 1105**, proposed legislation that would greater strengthen Idaho's anti-bullying legislation by including minors who are not students as potential perpetrators of bullying acts, requiring schools to create an anti-bullying policy and inform their teachers of the policy, requiring schools to provide professional development in effectively identifying and resolving bullying issues, requiring district policies to include a series of graduated consequences for bullying and requiring school districts to submit an annual report to the State Department of Education regarding bullying incidents and professional development training provided to staff each year. Rep. Perry described a personal experience on how bullying affected her daughter, and the lack of response they received after talking to the teachers and administrators regarding the ongoing bullying. Rep. Perry stated that this bill would not only inform teachers about the anti-bullying policies at their schools, but teach them how to handle complaints of bullying and resolve them quickly and effectively to prevent a child from enduring an unsafe school environment.

Regarding Committee concerns over the wording in the bill that violation of any provision "shall be an infraction," **Rep. Perry** explained that this bill does not assume guilt, or penalize all bullying incidents as an infraction. Instead, schools will set up policies that include graduated consequences, with an infraction being the final action taken if bullying persists. Rep. Perry stated that the examples of consequences listed in the bill are not in a particular order, and it will be left to local control to determine the consequences for bullying.

In response to Committee concern that the wording of the bill, **Rep. Wills** discussed his experience as a School Resource Officer (SRO), and stated that the word "shall" only "gives teeth" to school anti-bullying policies. Rep. Wills assured the Committee that SROs try to keep kids out of the criminal system and they exhaust all other avenues before pressing criminal charges against a minor. Rep. Wills added that an infraction was a civil charge, not criminal, and would consist of a fine or other minor penalty.

In response to a question about civil charges to minors, **Rep. Wills** stated that minors can receive civil charges for a variety of offenses, such as displaying graffiti. Rep. Wills added that penalties for bullying would be an infraction, and should it warrant legal action, the student would be charged with misdemeanor battery.

Regarding legal implications if teachers and administrators did not intervene, **Rep. Perry** stated that schools are highly liable if they know about bullying and do not act. **Vice Chairman Shirley** added that in his experience studying school law, all teachers are responsible to protect students, and the "failure to act when they are aware of a problem" puts schools at risk for legal action.

**Rachel Raue**, representing herself, testified in support of **S 1105**, describing her daughter's difficulty in being bullied at school by the daughter of a well respected teacher. Ms. Raue stated that the bullying done to her daughter caused her to have suicidal thoughts and almost prevented her from giving her valedictorian speech at graduation, because she accumulated too many absences due to not wanting to go to school and see the girl who had been bullying her.

**Kelly Burgess**, eighth grade student at Sacred Heart Catholic School and member of its bully prevention team, testified in favor of **S 1105**. Miss Burgess discussed the negative effects of bullying and explained how her school's bully prevention team works to address student complaints of bullying. Miss Burgess commented that her school has benefited from tracking all bullying incidents, and supported this bill's requirement of all schools to do the same.

In response to a question regarding her school's anti-bullying policy, **Miss Burgess** explained that her school keeps a book of all students and marks the times they have bullied another student. A meeting with the student's parents is held after second offense and the third offense results in suspension from school.

Responding to a question regarding whether legislation or school prevention teams were more useful, **Miss Burgess** replied that bullying prevention teams are more successful with younger students, as they look up to the older students on the prevention team. However, legislation may be more effective with older students, because the presence of a law behind anti-bullying school policies may encourage them to think "before being careless with their words or actions."

Regarding student hesitancy in reporting bullying, **Miss Burgess** stated that some students are reluctant to report bullying.

**Sherri Wood**, Idaho Education Association, testified in favor of **S 1105**, stating that children who are bullied are more likely to become ill, depressed, have lower grades and drop out of school. Ms. Wood mentioned the "Bully Free, It Starts With Me" professional development training that is offered to help teachers deal with bullying and sexual harassment incidents.

**Hannah Brass**, American Civil Liberties Union of Idaho, testified in favor of **S 1105**, discussing the negative impact bullying has on students, and stated that she hoped a greater criteria could be set in the future to better protect all students.

**Kelly Miller**, Idaho Coalition Against Sexual and Domestic Violence, testified in favor of **S 1105** and described several projects aimed toward preventing sexual and domestic violence. Ms. Miller stated that this legislation would help stop bullying tendencies from occurring in younger students, which can eventually lead to other aggressive behaviors, such as domestic and sexual violence.

In response to a question regarding cyberbullying, **Ms. Miller** stated that 17% of Idaho students surveyed said that had been victims of cyberbullying.

**Amy Herzfeld**, Idaho Human Rights Education Center (IHREC), testified in favor of **S 1105**, stating that current state statute fails to protect all students and this legislation would strengthen the existing law by requiring schools to set up an anti-bullying policy and train teachers and staff. In working with teachers from around the state, Ms. Herzfeld has received several complaints that teachers do not feel empowered to address certain types of bullying nor do they receive adequate training regarding bullying. A 2009 survey, conducted by IHREC, of 266 Idaho high school graduates showed that 90% Idaho high school graduates witnessed bullying in school, one in three Lesbian, Gay, Bisexual, Transgender (LGBT) students was aware of a violent attack in their schools against another LGBT youth and only 14% of students surveyed strongly agreed that teachers and administrators tried to prevent harassment at their Idaho high school. Ms. Herzfeld stated that **S 1105** would provide uniformity among school districts and ensure safety of all students.

In response to Committee questions, **Ms. Herzfeld** stated that this legislation would give more tools to districts, schools and parents to help prevent and resolve bullying. Ms. Herzfeld added that she has heard anecdotally from teachers that districts and schools who have anti-bullying policies in place were considered safer than those that do not.

**Kim Kane**, Suicide Prevention Action Network, testified in favor of **S 1105**, and informed the Committee that suicide is the second leading cause of death for youth in Idaho. Ms. Kane discussed the three factors that are present when suicide is attempted or completed: failed belongingness, perceived burdeness and capability of self harm. Ms. Kane stated that if even one of those factors is missing, the likelihood of suicide is far less, therefore, it is important to ensure safety and respect for students in schools so they do not feel that they "don't belong."

**Nichole Harris**, representing her nephew, testified in favor of **S 1105**, and described her nephew's experience with bullying in school. Ms. Harris stated that after standing up to a bully, her nephew sustained serious physical injury and was suspended from school after being involved in a fight.

**Devante Harris** followed his aunt's testimony by stating he wanted to feel safe in school and not worry about being injured.

In response to Committee questions, **Mr. Harris** stated that he did not feel it was right that he was punished for "sticking up" for himself.

**Terry Crozier**, representing himself, testified in favor of **S 1105**, stating that it was the state's responsibility to ensure that students are protected and safe while at school.

**Mistie Tolman**, representing herself, testified in favor of **S 1105** and described the differences she has seen regarding teacher response to bullying between her son's class and her daughter's.

In response to a question regarding teacher training, **Ms. Tolman** stated that she was particularly excited about the portion in this legislation that required schools to provide professional development on how to effectively deal with bullying in the classroom

**Sam Moore**, a seventh grader at Rolling Hills Public Charter School, testified in favor of **S 1105**, stating that this bill could change the lives of many students.

**Rep. Thayne** requested **Matt McCarter** to give his view of this legislation from the standpoint of the Department of Education.

**Matt McCarter**, Idaho Safe and Drug Free Schools, State Department of Education (SDE), stated that in researching other states' legislation regarding bullying he found that there was a large range in how prescriptive the legislation was. Mr. McCarter stated that bullying cases rarely go to court and he feels the graduated consequences and the annual report to the SDE will be beneficial.

In response to Committee questions, **Mr. McCarter** stated that students in kindergarten have been recorded as engaging in bullying and explained that peer prevention teams are very effective but requires staff to support their efforts.

Per request of the Committee, **Phillip Homer**, Idaho Association of School Administrators informed the Committee that he has not had a chance to get stakeholder feedback as of now, but feels today's testimony is compelling and getting an anti-bullying policy in student handbooks and providing training to teachers will be beneficial.

In response to a question regarding legal ramifications, **Mr. Homer** stated that there will always be a risk of legal action being taken against schools. **Harold Ott**, Idaho Rural Schools Association, agreed and added that it is important for teachers and administrators to provide a safe environment that is conducive to learning and in which all students are treated with dignity and respect.

**MOTION:**

**Rep. Wills** moved to send **S 1105** to the floor with a **DO PASS** recommendation.

**SUBSTITUTE MOTION:**

**Rep. Marriott** offered a substitute motion, to send **S 1105** to General Orders to add at the end of section one, "all students have the right to self defense without penalty."

**Rep. Wills, Chew, DeMordaunt** and **Vice Chairman Shirley** spoke to the substitute motion, stating that although it was well intended, it may open up a new arena of problems.

**Rep. Nielsen** spoke to the substitute motion and stated that there needs to be a greater allowance for self defense and people should not be penalized for coming to the aid of someone being bullied.

**Rep. Cronin** spoke in support of the original motion, stating that this is one reform that will truly change students' lives.

**Rep. Shepherd** stated that he would be voting in opposition to the original motion and stated a Superintendent in his district contacted him and felt that schools were already doing an adequate job of handling bullying and this legislation could have unintended consequences. Rep. Shepherd gave an example of a girl accidentally bringing her mother's lunchbox to school that had a paring knife in it. The girl turned it into the principal but due to the no tolerance wording regarding weapons on school campus, she was suspended from school.

**Rep. Perry** closed by saying that the Department of Education is in support of the bill and although she understands the intent behind the substitute motion she feels it should be addressed at a later time.

**ROLL CALL  
VOTE ON  
SUBSTITUTE  
MOTION:**

A roll call vote was requested on the substitute motion; **motion failed, 5 aye, 12 nay, 1 absent/excused. Voting in favor** of the substitute motion: **Reps. Nielsen, Shepherd, Marriott, Thayn and Chairman Nonini. Voting in opposition** to the substitute motion: **Reps. Shirley, Trail, Chadderdon, Wills, Hartgen, Bateman, Boyle, DeMordaunt, Nessel, Pence, Chew and Cronin.** Absent/excused: **Rep. Block.**

**VOTE ON  
ORIGINAL  
MOTION:**

Original motion to send **S 1105** to the floor with a **DO PASS** recommendation **carried on voice vote. Rep. Shepherd** requested to be recorded as voting against the motion. **Rep. Perry** will sponsor the bill on the floor.

**ADJOURN:**

There being no further business to come before the Committee, the meeting was adjourned at 9:53 a.m.

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Representative Nonini  
Chair

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Amber Messa  
Secretary

AGENDA  
HOUSE EDUCATION COMMITTEE  
8:00 A.M.  
Room EW41  
Thursday, March 24, 2011

<b>SUBJECT</b>	<b>DESCRIPTION</b>	<b>PRESENTER</b>
<a href="#"><u>RS20662</u></a>	Task Force/Vocational Rehab/Blind Commission	Rep. Jaquet
	Presentation by Idaho Historical Society	Janet Gallimore
<a href="#"><u>S 1111</u></a>	School Bus Advertisements	Sen. Winder Rep. DeMordaunt

***If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman Nonini  
Vice Chair Shirley  
Rep Trail  
Rep Block  
Rep Nielsen  
Rep Chadderdon(Chadderdon)  
Rep Shepherd  
Rep Wills  
Rep Marriott  
Rep Thayn  
Rep Hartgen  
Rep Bateman  
Rep Boyle  
Rep DeMordaunt  
Rep Nessel  
Rep Pence  
Rep Chew  
Rep Cronin

COMMITTEE SECRETARY

Amber Messa  
Room: EW49  
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email: amessa@house.idaho.gov

MINUTES  
**HOUSE EDUCATION COMMITTEE**

**DATE:** Thursday, March 24, 2011

**TIME:** 8:00 A.M.

**PLACE:** Room EW41

**MEMBERS:** Chairman Nonini, Vice Chairman Shirley, Representative(s) Trail, Block, Nielsen, Chadderdon (Chadderdon), Shepherd, Wills, Marriott, Thayn, Hartgen, Bateman, Boyle, DeMordaunt, Nessel, Pence, Chew, Cronin

**ABSENT/  
EXCUSED:** Representative(s) Boyle

**GUESTS:** Janet Gallimore, Idaho State Historical Society (ISHS); Harold Ott, Idaho Rural Schools Association (IRSA); Phillip Homer, Idaho Association of School Administrators (IASA); Eric Exline, Joint School District (JSD) No. 2; Bruce Gestrin, JSD No. 2; Tracie Bent, State Board of Education (SBE); Mark Browning, State Board of Education; Bert Marley, Idaho Education Association; Mike Vuittonet, Meridian School Board; Ray Amaya, KBOI 670AM; Jess Harrison, Idaho School Boards Administrators, Pamela Deets with Government students, Borah High School

**Chairman Nonini** called the meeting to order at 8:03 a.m.

**MOTION:** **Rep. Pence** moved to approve the minutes from March 21, 2011; **motion carried on voice vote.**

**MOTION:** **Rep. Thayn** moved to approve the minutes from March 22, 2011; **motion carried on voice vote.**

**RS 20662:** **Rep. Jaquet** presented **RS 20662**, proposed legislation to create a task force to look into combining the Division of Vocational Rehabilitation and the Commission for the Blind and Visually Impaired to increase efficiency and decrease administrative costs.

**MOTION:** **Rep. Marriott** moved to introduce **RS 20662**; **motion carried on voice vote.**

**Janet Gallimore**, Idaho State Historical Society (ISHS), discussed the various programs and services the ISHS provides, including historical preservation, records management, school group programs, brown bag lunches and technical assistance and training. The ISHS is responsible for the visitor information center in the garden level of the Capitol, as well as the pictures hanging in the Capitol's hallways. Each year, the ISHS participates in National History Day, in which 1,000 Idaho students participate. Ms. Gallimore mentioned a study done that shows that National History Day participants tend to have higher grades, are better at cross-thinking among a variety of topics and are more college ready. The ISHS is working with the Department of Education and the State Board of Education to ensure that more schools have access to the annual competition and activities.

**Ms. Gallimore** discussed how the ISHS has been ensuring program outputs with decreased funding by using funds from membership costs, admission fees, ISHS events, store sales and grant funding.

Regarding a question about the ISHS's work with Union Pacific, **Ms. Gallimore** explained that Union Pacific was working on a project in north Idaho and was having trouble acquiring a needed permit. The ISHS helped streamline the process and made sure the permit arrived in a timely manner so construction could begin before weather prevented them from doing so.

In response to a question regarding revenue enhancements, **Ms. Gallimore** stated that there has not been an increase on facility rentals because most historic buildings were not designed to adequately accommodate large groups. Ms. Gallimore added that there is a plan in the works for the Old State Penitentiary and once the funding is procured adjustments will be made that will hopefully result in greater revenues coming in from facility rentals.

Responding to a question regarding museum expansion, **Ms. Gallimore** explained that previously a \$17 million expansion to double the size of the Idaho History Museum had been approved, but due to economic downturn, the money was returned to the General Fund. This June the museum will be "gutted," and exhibits rearranged in a manor that makes better use of space and allows for potential expansion in the future.

**S 1111:**

**Rep. DeMordaunt** presented **S 1111** and listed the states that have already allowed school bus advertisements and those which are currently considering proposals to do so.

**Sen. Winder** presented proposed amendments to **S 1111**, which would further clarify the rules that school board trustees will set regarding advertisements on school busses. The amendments would prohibit inappropriate advertising such as, but not limited to, the following items, political advertising, including any advertising for school levies or bond elections, alcohol products, tobacco products, sexually explicit products, pictures, or illustrations, as well as any advertising related to sexually related products. The amendment also requires safe placement of advertisements in conformance with current rules in IDAPA 7.22 through 7.22.3.13. A new section would allow the net revenues from school bus advertisements to be spent only on teacher salaries.

In response to a question regarding safety requirements, **Sen. Winder** stated that the advertisements would be placed in a safe manner according to preexisting code, and would not create any additional distraction to drivers than those already present.

Regarding a question about private bus companies, **Sen. Winder** explained that part of the process could include updating contracts between schools and private companies to allow for bus advertisements.

In response to concern that this legislation would create a precedent for schools becoming commercialized, **Sen. Winder** replied that everyone is upset with the budget cuts and this legislation would allow school districts the opportunities to generate additional revenue.

**MOTION:**

**Rep. Shirley** moved to send **S 1111** to General Orders, with section 8 to be replaced as, "The state board of education shall promulgate rules authorizing local boards of trustees to sell advertising space on the exterior of school buses. Such rules shall provide restrictions on advertising content, said rules shall prohibit inappropriate advertising such as, but not limited to, the following items, political advertising, alcohol products, tobacco products, sexually explicit products, pictures, or illustrations, as well as any advertising related to sexually related products. Such rules shall require the safe placement of such advertising in conformance with current rules in IDAPA 7.22 through 7.22.3.13," and add a new subsection (9) to read "The revenue generated by the selling of advertising shall be used to offset directly related expenses and the net revenue shall be used by the local board of trustees for teacher salaries and no other purpose."

**SUBSTITUTE  
MOTION:**

**Rep. Hartgen** offered a substitute motion to include wording in section 9 to read, "the net revenue shall be used by the local board of trustees for teacher salaries and appropriate educational purposes."

**Eric Exline**, Joint School District No. 2, testified in support of **S 1111**, and stated that the amendments alleviated concerns regarding student safety. Mr. Exline explained that schools could "get into enterprise on their own" and contract out or receive bids from local or national companies regarding advertisements. Mr. Exline stated that a district with a 100 bus fleet would generate approximately \$100,000 a year.

In response to a question about how the calculation was made, **Mr. Exline** stated that it was based on quotes received from other states currently using bus ads and various advertising agencies that create bus ads.

Regarding the net revenues only being used for teacher salaries, **Sen. Winder** stated that this was added after speaking with opponents from the floor and he did not feel this stipulation tied the hands of school board trustees because it would allow more flexibility to be used in regards to discretionary funding.

In response to Committee concern about the lack of specificity regarding advertisements relating to school bonds and levies, **Sen. Winder** stated that this, and other details, could be worked out in the rules that would be set by school board trustees.

**Mike Vuittonet**, Meridian School Board, testified in favor of **S 1111**, with amendments and stated that this idea was the result of "out of the box thinking" to fill the gaps of budget cuts. Mr. Vuittonet mentioned data from the National Highway Traffic Safety Administration, showing that 600 school aged children died per year in non-bus vehicles, and that the Federal Government view busses as nine times safer during normal commute hours. Mr. Vuittonet added that the state makes sure that school busses are colored and marked specifically to inform other drivers that children are on board, and that school bus advertisements would not impede in any way.

Regarding a question about input from other districts, **Mr. Vuittonet** stated that he has not heard any official opposition from other districts.

In response to a question regarding a further amendment to allow for net revenue to be spent in other areas besides teacher salaries, **Mr. Vuittonet** stated that he would be in support of such an amendment.

**Vice Chairman Shirley** and **Rep. Hartgen** withdrew their prior motions.

**MOTION:**

**Rep. DeMordaunt** moved to send **S 1111** to General Orders, to amend section (8) to read, "The state board of education shall promulgate rules authorizing local boards of trustees to sell advertising space only on the exterior of school buses. Such rules shall provide restrictions on advertising content, said rules shall prohibit inappropriate advertising such as, but not limited to, the following items, political advertising, including any advertising for school levies or bond elections, alcohol products, tobacco products, sexually explicit products, pictures, or illustrations, as well as any advertising related to sexually related products. Such rules shall require the safe placement of such advertising in conformance with current rules in IDAPA 7.22 through 7.22.3.13," and to add a new section (9) to read, "The revenue generated by the selling of advertising shall be used to offset directly related expenses and the net revenue shall be used by the local board of trustees for appropriate educational purposes." **Rep. Hartgen** seconded the motion. **Motion carried on voice vote.** **Rep. DeMordaunt** will sponsor the bill on the floor.

**Chairman Nonini** asked **Pamela Dietz** to inform the Committee of her students' opinion regarding **S 1111**, which they have studied in class.

**Ms. Dietz**, Government teacher, Borah High School, stated that some of the main concerns of her students were that larger districts would benefit from this legislation and not smaller ones, bus safety and net revenues going to only teacher salaries. Ms. Dietz stated that most of the concerns have been addressed with the new amendments.

**ADJOURN:** There being no further business to come before the Committee, the meeting was adjourned at 9:38 a.m.

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Representative Nonini  
Chair

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Amber Messa  
Secretary

AGENDA  
HOUSE EDUCATION COMMITTEE  
8:00 A.M.  
Room EW41  
Friday, March 25, 2011

<b>SUBJECT</b>	<b>DESCRIPTION</b>	<b>PRESENTER</b>
<a href="#"><u>RS20677</u></a>	Education, Trailer	Rep. Roberts Rep. Shirley
<a href="#"><u>RS20661</u></a>	Fees, Driver's Training	Rep. Thayn

***If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman Nonini  
Vice Chair Shirley  
Rep Trail  
Rep Block  
Rep Nielsen  
Rep Chadderdon(Chadderdon)  
Rep Shepherd  
Rep Wills  
Rep Marriott  
Rep Thayn  
Rep Hartgen  
Rep Bateman  
Rep Boyle  
Rep DeMordaunt  
Rep Nasset  
Rep Pence  
Rep Chew  
Rep Cronin

COMMITTEE SECRETARY

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MINUTES  
**HOUSE EDUCATION COMMITTEE**

**DATE:** Friday, March 25, 2011

**TIME:** 8:00 A.M.

**PLACE:** Room EW41

**MEMBERS:** Chairman Nonini, Vice Chairman Shirley, Representative(s) Trail, Block, Nielsen, Chadderdon (Chadderdon), Shepherd, Wills, Marriott, Thayn, Hartgen, Bateman, Boyle, DeMordaunt, Nessel, Pence, Chew, Cronin

**ABSENT/  
EXCUSED:** None

**GUESTS:** Harold Ott, Idaho Rural Schools Association (IRSA); Phillip Homer, Idaho Association of School Administrators (IASA); Bert Marley, Idaho Education Association; Luci Willits, State Department of Education

**Chairman Nonini** called the meeting to order at 8:06 a.m.

**RS 20677:** **Rep. Roberts** presented **RS 20677**, a trailer bill to **S 1108** that would cancel the elimination of 99% protection funding, and instead would give schools 97% protection in 2011 if a school lost more than three percent of its Average Daily Attendance (ADA). This proposed legislation would be void after July 1, 2012. Also, this proposed legislation would remove severance pay to teachers who are dismissed after the school year starts, which would provide an additional \$600,000 to the State.

In response to Committee questions, **Rep. Roberts** stated that the intent was not to introduce similar legislation next year, but give schools one year to estimate student enrollment and adjust accordingly. Rep. Roberts stated that in some districts loss of industry jobs can cause a sudden change in the number of students enrolled at the local schools, and this legislation would allow for schools to have an extra year to adequately determine student enrollment.

Regarding the benefits of 99% protection funding, **Rep. Roberts** stated that schools will now have until July 1st to sign contracts with teachers, and it may be more beneficial to underestimate and hire extra teachers after school begins if needed.

In response to a question regarding charter schools, **Rep. Roberts** stated the management teams know in advance if charter schools are opening, and have ample time to estimate the effects it will have on student enrollment.

**Rep. Pence** added that it is in current statute that school districts must be notified of plans to open a charter school, however, surrounding districts may still be "blind sided" by drastic changes to student enrollment, as surrounding districts do not have to be notified.

Expanding on the elimination of severance pay, **Rep. Roberts** explained that 97% protection for one year will cost roughly \$1.9 million dollars. By eliminating severance packages, an additional \$600,000 could be added to the \$1.9 million.

Responding to a question about job security, **Rep. Roberts** stated that teacher contracts will be good for one year, so teachers will know they have a position for the entire school year.

**MOTION:** **Rep. Nielsen** moved to introduce **RS 20677**; motion carried on voice vote.

**RS 20661C1:** **Rep. Thayn** presented **RS 20661C1**, proposed legislation that ends the State's involvement in public school driver training program reimbursements and moves the traditional \$125 per student reimbursement to the Public School Income Fund and the state highway account. This bill would give \$2.2 million annually to the public school income fund, \$100,000 annually to the State Highway Account and a one time deposit of \$1 million to the General Fund.

Regarding Committee questions, **Rep. Thayn** stated that the costs would be shifted to parents of students enrolling in public school driver's education classes and, although this bill may create greater privatization of drivers' training programs, the main motivation behind this legislation is to promote priority based budgeting.

**MOTION:** **Rep. Hartgen** moved to introduce **RS20661C1**; **motion carried on voice vote.**

**ADJOURN:** There being no further business to come before the Committee, the meeting was adjourned at 8:40 a.m.

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Representative Nonini  
Chair

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Amber Messa  
Secretary

**AMENDED #1 AGENDA  
HOUSE EDUCATION COMMITTEE  
8:00 A.M.  
Room EW41  
Monday, March 28, 2011**

<b>SUBJECT</b>	<b>DESCRIPTION</b>	<b>PRESENTER</b>
<a href="#"><u>S 1149</u></a>	Public Charter School Closures	Sen. Winder

***If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman Nonini  
Vice Chair Shirley  
Rep Trail  
Rep Block  
Rep Nielsen  
Rep Chadderdon(Chadderdon)  
Rep Shepherd  
Rep Wills  
Rep Marriott  
Rep Thayn  
Rep Hartgen  
Rep Bateman  
Rep Boyle  
Rep DeMordaunt  
Rep Nessel  
Rep Pence  
Rep Chew  
Rep Cronin

COMMITTEE SECRETARY

Amber Messa  
Room: EW49  
Phone: (208) 332-1148  
email: amessa@house.idaho.gov

MINUTES  
**HOUSE EDUCATION COMMITTEE**

**DATE:** Monday, March 28, 2011

**TIME:** 8:00 A.M.

**PLACE:** Room EW41

**MEMBERS:** Chairman Nonini, Vice Chairman Shirley, Representative(s) Trail, Block, Nielsen, Chadderdon (Chadderdon), Shepherd, Wills, Marriott, Thayn, Hartgen, Bateman, Boyle, DeMordaunt, Nessel, Pence, Chew, Cronin

**ABSENT/  
EXCUSED:** Representative(s) Block, Wills, Cronin

**GUESTS:** Phil Homer, Idaho Association of School Administrators; Karen Echeverria, Idaho School Boards Association; Tamara Baysinger, Public Charter School Commission; Bert Marley, Idaho Education Association; Suzanne Budge, SBS Associates LLC

**Chairman Nonini** called the meeting to order at 8:07 a.m.

**MOTION:** **Rep. Thayn** moved to approve the minutes from March 24, 2011; **motion carried on voice vote.**

**MOTION:** **Rep. Pence** moved to approve the minutes from March 25, 2011; **motion carried on voice vote.**

**S 1149:** **Sen. Winder** presented **S 1149**, proposed legislation that deals with unexpected charter school closures that occur in the middle of the school year. This legislation would allow Average Daily Attendance (ADA) funding to follow the students, should a charter school close, in a prorated amount based on the time students enter a new school and the number of students that transfer from a closed charter school to public schools.

In response to questions regarding the general fund, **Sen. Winder** stated that there would be a cost incurred to the general fund, as the state would possibly fund a student twice, if the majority of ADA money was received in the beginning of the school year and the closure occurred afterward funding had been received.

Regarding potential debt of a charter school that closes, **Sen. Winder** stated that, under this legislation, the state would only pay prorated ADA monies, not any other obligations or debt a charter school may incur.

In response to a question regarding emergency levies, **Phil Homer**, Idaho Association of School Administrators, explained that emergency levies can only be used in the fall, and there is currently nothing in place to help schools if they see a substantial increase of students later in the year.

**Rep. DeMordaunt** stated that this legislation may have unintended consequences, and gave the example of a public school receiving \$5,000 per student. If \$3,000 was received in the beginning of the school year, a charter school closure may give a school district more than the remaining \$2,000 per student that transfers to the public school. This could give school districts an incentive to not work with struggling charter schools that were chartered by the district, as they would receive more funding.

In response to Committee questions, **Karen Echeverria**, Idaho School Boards Association, clarified that the student divisor for students transferring from a charter school to a traditional school would be that of the public school, not the charter school divisor. Ms. Echeverria commented that this legislation would not impact magnet schools.

**Tamara Baysinger**, Public Charter School Commission (PCSC), stated that the PCSC has not taken a stance either way regarding this legislation. Ms. Baysinger added that the PCSC did not feel there would be a great likelihood of school districts closing down charter schools to receive more money, as it is a very lengthy process to undergo, and may not be worth extra funding for a couple hundred students.

Regarding a concern that this legislation may affect the trailer bill regarding 97% protection funding, **Mr. Homer** stated that it will not affect the education reform trailer bill brought before the Committee last week.

**MOTION:** **Rep. Hartgen** moved to send **S 1149** to the floor with a DO PASS recommendation; **motion carried on voice vote. Rep. Hartgen** will sponsor the bill on the floor.

**ADJOURN:** There being no further business to come before the Committee, the meeting was adjourned at 8:38 a.m.

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Representative Nonini  
Chair

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Amber Messa  
Secretary

AGENDA  
HOUSE EDUCATION COMMITTEE  
8:00 A.M.  
Room EW41  
Tuesday, March 29, 2011

SUBJECT	DESCRIPTION	PRESENTER
<a href="#">S 1184</a>	Education	Office of Superintendent

***If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman Nonini  
Vice Chair Shirley  
Rep Trail  
Rep Block  
Rep Nielsen  
Rep Chadderdon(Chadderdon)  
Rep Shepherd  
Rep Wills  
Rep Marriott  
Rep Thayn  
Rep Hartgen  
Rep Bateman  
Rep Boyle  
Rep DeMordaunt  
Rep Nessel  
Rep Pence  
Rep Chew  
Rep Cronin

COMMITTEE SECRETARY

Amber Messa  
Room: EW49  
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MINUTES  
**HOUSE EDUCATION COMMITTEE**

**DATE:** Tuesday, March 29, 2011

**TIME:** 8:00 A.M.

**PLACE:** Room EW41

**MEMBERS:** Chairman Nonini, Vice Chairman Shirley, Representative(s) Trail, Block, Nielsen, Chadderdon (Chadderdon), Shepherd, Wills, Marriott, Thayn, Hartgen, Bateman, Boyle, DeMordaunt, Nessel, Pence, Chew, Cronin

**ABSENT/  
EXCUSED:** None

**GUESTS:** Emma Roemhildt, Idahoans for Choice in Education; Jane Wittmeyer, Coalition of Public Charter Schools; John McCrostie, Janie Ward-Engelking; Shannon Dean; Sarah King; Kenneth Jenson; Ken N. Jensen; Carli Thayn; Colleen Andrus; Ken Burgess, Idaho Charter School Network; Ray Amaya, 670AM KBOI; Janet Orndorff; Cindy Luna, Melissa McGrath, State Department of Education (SDE); John Eikum, Harold Ott, Idaho Rural Schools Association; Phillip Homer, Idaho Association of School Administrators (IASA); Byron Yankey, IASA; Sherri Wood, Idaho Education Association (IEA); Robin Nettinga, IEA; Laurie Boeckel, Idaho Parent Teacher Association; Max Pond, Risch Pisca; Jason Hancock, SDE; Tom Luna, SDE; Chris Bray, Gail Bray

**Chairman Nonini** called the meeting to order at 8:07 a.m.

**S 1184:** **Superintendent Tom Luna**, Superintendent of Public Instruction, State Department of Education (SDE), presented **S 1184**, which is the final component to the "Students Come First" education reform. This proposed legislation requires the SDE to post a fiscal report card for each school district, requires each school district to post its budget and master labor agreements on-line, increases the State's minimum teacher salary, allows districts flexibility in the "use it or lose it" portion of salary based apportionment, funds the automatic movement on the grid for FY 2012 and restores the one year of education credits that have been previously frozen, creates a funding formula to reestablish funding for instructional technology as well as professional development, creates a taskforce to study and develop plans for implementation of on-line courses, provides high school teachers with mobile computing devices beginning in the 2012-2013 school year and provides students with mobile devices from 2013-2016 until the ratio of students to mobile devices is 1:1.

This legislation would also require the State Board of Education to create digital citizenship standards regarding on-line courses and would establish fractional Average Daily Attendance (ADA) funding for students who are dual enrolled in on-line and brick and mortar schools. Funding formulas for dual credit courses, increased graduation requirement for math and science course and pay for performance are included in this proposed legislation and this legislation would allow public post-secondary institutions to operate public charter high schools. After a cost of \$9.4 million in FY2012, the savings to the State would be between \$21 million and \$35 million in fiscal years 2013-2017.

**Jason Hancock**, SDE, explained the technical aspects of the bill section by section to the Committee. Mr. Hancock highlighted the new sections, including the creation of funding formulas for dual credit courses, new math and science requirements, pay for performance and fractional ADA funding and the introduction of mobile computing devices in the classrooms.

In response to Committee questions, **Mr. Hancock** stated that there is no set template for the fiscal report cards, but that one will be developed by July 1, 2011. Mr. Hancock explained that virtual schools that already have a 1:1 ratio of mobile devices to students would be able to receive funds via discretionary funds, instead of receiving money for mobile devices.

Responding to Committee questions, **Mr. Hancock** stated that private companies were omitted from the transparency clauses in order to honor privacy rights. Mr. Hancock explained that parents would be informed of any fees for on-line classes at the time of registration and that a minimum level of funding was created for the Idaho Digital Learning Academy (IDLA) in anticipation of schools not requiring on-line courses until students are juniors and seniors, therefore creating a back log of enrollment after a two year lull.

Regarding concerns about local control, **Mr. Hancock** stated that allowing students to enroll in on-line courses without first obtaining permission from school districts was not taking away local control, and that provisions will be made by the State Board of Education that will give school districts control regarding which on-line classes would meet graduation requirements.

In response to questions regarding Mathematical Thinking for Instruction (MTI) courses, **Mr. Hancock** explained that the state currently provides this course for free, along with paying for the credits to be transcribed. **S 1184** would allow MTI credits to count toward recertification but the state will no longer pay to transcribe the credits. Mr. Hancock noted that the only difference that will result in this legislation is that MTI courses may or may not be counted in other states.

Regarding questions over section 12, **Mr. Hancock** explained that the new sections provide maximum flexibility to local districts, allowing districts with smaller enrollments enough funding to pay for on-line courses instead of additional teachers they may not need.

In response to a question regarding the role of the taskforce, **Supt. Luna** stated that the task force would first research methods of increasing technology in Idaho classrooms and in other states, identify the needs in Idaho schools and make recommendations to both the State Board of Education and the Legislature to help "chart the path forward" in increasing technology in Idaho classrooms.

Regarding maintenance of mobile devices, **Supt. Luna** stated that State will be responsible for all maintenance costs because it is cheaper than having each district responsible for their own maintenance costs.

In response to a question regarding funding formulas for new math and science requirements, **Mr. Hancock** explained that a survey was done of all high schools that did not have supplemental levies. The results showed that different sized schools had different needs, therefore the amount of funding is based on the number of students enrolled. Mr. Hancock stated that the funding did not specify whether schools hire teachers, classified staff or use the money for on-line courses.

Regarding fractional ADA, **Mr. Hancock** stated that the number of courses allowed is based on the maximum that each school allows, therefore, if a student is able to take a zero hour, the amount of money allocated would be two thirds of 1/7, instead of 1/6 allocation given to schools that only offer six class periods a day.

Regarding Committee questions, **Supt. Luna** stated that the State does not have additional money to invest in the current system to extend class days, as is done in other countries, but that the money available needs to be spent differently, which would allow for higher teacher pay. Supt. Luna added that on-line courses would have to meet the same criteria as brick and mortar classes, and should students be unable to take on-line courses (due to a learning disability or other reason), local school boards have the ability to develop an alternative route for graduation. Supt. Luna mentioned that **Governor Butch Otter** has stated that when the economy improves, the first priority will be increasing funding in Idaho's education system.

In response to a question regarding taskforce membership, **Supt. Luna** stated that although the bill did not specify party affiliation, the SDE actively seeks equal representation from both political parties.

In response to the change from 5% to 15% in section 7, **Mr. Hancock** stated that the increased percentage would allow flexibility in districts joining together to defray the costs of providing virtual education course work.

**Sherri Wood**, Idaho Education Association (IEA) testified in opposition to **S 1184**, stating that this bill would cut hundreds, possibly thousands, of jobs in Idaho. Ms. Wood assured the Committee that educators were not opposed to change or increased technology, but the IEA could not support funding increased technology by cutting jobs during a time of economic downturn.

In response to a question regarding teacher attraction and retention, **Ms. Wood** stated that she has spoken to teachers and students majoring in Education and many are applying for positions in other states, such as Wyoming, Connecticut, Oregon and Washington. Ms. Wood acknowledged that these states may be eliminating teacher jobs as well, but many of the students are certified in areas of high need. Ms. Wood added that some teachers may choose to enter the private sector in order to make more money.

Regarding mention of a teacher in north Idaho that left her position, **Ms. Wood** stated that although the teacher was recently accepted to a Ph.D. program, the teacher would not have quit in the middle of the school year had the first two education bills not passed.

Regarding concerns about IDLA funding, **Ms. Wood** stated that the IEA is concerned that if funding to the IDLA decreases, money will be spent out of state, instead of on in-state public domain curriculum.

In response to a question about the salary grid, **Ms. Wood** stated that the salary grid will eventually flatten, should the salary based apportionment conditions in this legislation continue, causing new teachers to be paid the same as teachers with years of experience. Ms. Wood added that although this legislation increases the minimum teacher's salary, salary increases are subject to each district's salary schedule, noting that in some districts, teachers are not eligible for a pay raise for 5-7 years.

**Laurie Boeckel**, Idaho Parent Teacher Association (PTA), testified in opposition of **S 1184**, stating that the Idaho PTA believes that parents should have a voice in their children's education, and they oppose the additional mandates on the school districts outlined in this bill.

**Phil Homer**, Idaho Association of School Administrators (IASA), testified in opposition of **S 1184**, stating that school administrators are willing to deal with budget cuts at the local level, but feel that "use it or lose it" should be eliminated completely until the economy is better. Also, the IASA disagrees with the funding mechanism coming from salary based apportionment and feels that fractional ADA funding is too complex an issue to adequately plan for and budget.

In response to Committee questions, **Mr. Homer** explained that use it or lose it funding is beneficial, but eliminating it entirely on a short term basis will help save the state money that could be used to pay teacher salaries.

**Karen Echeverria**, Idaho School Boards Association, testified in opposition to **S 1184**, stating that this legislation takes away flexibility by putting funding into line items for technology that school districts cannot change. Ms. Echeverria recommended surveying the technology already in schools and researching the cost of maintenance in order to create a long term technology plan and funding plan.

In response to Committee questions, **Ms. Echeverria** stated that when 85-90% of school budgets are spent on teacher salaries, it is difficult to find places to cut the budget other than eliminating teacher positions.

**Roger Brown**, Governor's Office, testified in support of **S 1184**, stating that this bill was crafted to reform and modernize classrooms and stated that this investment is needed to ensure that Idaho students are globally competitive. Mr. Brown stated that the passing of this legislation would not bring an end to discussion regarding how to manage scarce resources, and reiterated that education is the Governor's first priority when the economy improves.

In response to a question asking for specific data that shows a need for students to take on-line classes, **Mr. Brown** stated that the Governor's Office has heard from several employers that when their employees are trained using on-line services, many need remediation, which is also true in the college setting. Mr. Brown added that it was not in question whether students know how to learn on-line, but if they are learning enough.

Regarding currency conversion, **Mr. Brown** stated that currency conversions were made in studies comparing per student funding in the United States and in other countries, to compare "apples to apples."

Responding to a concern of the five year commitment laid out in this bill, **Mr. Brown** stated that adjustments can be made each year regarding the funding formula if needed.

**Supt. Luna** closed by stating that **S 1184** focuses on building a 21st century classroom that is not limited by geography or bell schedules. Supt. Luna added that nine out of ten people receiving extended unemployment benefits in the state of Idaho have less than a Bachelor's degree.

**MOTION:**

**Rep. Thayn** moved to send **S 1184** to the floor with a **DO PASS** recommendation, speaking to his motion that funding for increased technology was under 2% of the total education budget, increased technology may save money in the long run as e-textbooks could be purchased in lieu of hard copies and greater power is given to parents by allowing students to avoid an ineffective teacher or schedule conflicts by taking on-line courses.

**SUBSTITUTE MOTION:**

**Rep. Chew** moved to send **S 1184** to General Orders for amendments after stakeholders were consulted and a consensus was reached regarding fractional ADA funding.

**Vice Chairman Shirley** spoke to the original motion and stated that legislation regarding increased technology in classrooms is not a new topic, is a natural evolution .

**Rep. Bateman** spoke against the original motion, stating that he could not support a bill that would decrease teaching positions.

**Rep. Cronin** spoke against the original motion, stating that technology is an important tool, but face to face interaction is better. Rep. Cronin stated this bill replaces teachers with technology and gives districts no alternatives but to cut teaching positions. Rep. Cronin added that stakeholders have not had adequate input and noted the absence, whether coincidental or not, of the Idaho Business Coalition for Education Excellence.

**Rep. Hartgen** spoke in support of the original motion and stated that there is not enough money to sustain the current system.

**Rep. Nielsen** spoke in support of the original motion and stated that although the bill may have imperfections, action is needed now in order to prevent increasing taxes.

**ROLL CALL  
VOTE ON  
SUBSTITUTE  
MOTION:**

A roll call vote was requested on the substitute motion. Substitute motion **failed, 4 aye, 14 nay. Voting in favor** of the substitute motion: **Reps. Trail, Pence, Chew and Cronin. Voting in opposition** to the substitute motion: **Reps. Shirley, Block, Nielsen, Chadderdon (Chadderdon), Shepherd, Wills, Marriott, Thayn, Hartgen, Bateman, Boyle, DeMordaunt, Nessel and Chairman Nonini.**

**ROLL CALL  
VOTE ON  
ORIGINAL  
MOTION**

A roll call vote was requested on the original motion, to send **S 1184** to the floor with a **DO PASS** recommendation **passed, 12 aye, 6 nay. Voting in favor** of the original motion: **Reps. Shirley, Block, Nielsen, Chadderdon (Chadderdon), Shepherd, Wills, Marriott, Thayn, Hartgen, Boyle, DeMordaunt, and Chairman Nonini. Voting in opposition** of the original motion: **Reps. Trail, Bateman, Nessel, Pence, Chew and Cronin.**

**ADJOURN:**

There being no further business to come before the Committee, the meeting was adjourned at 12:00 p.m.

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Representative Nonini  
Chair

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Amber Messa  
Secretary

AGENDA  
HOUSE EDUCATION COMMITTEE  
8:00 A.M.  
Room EW41  
Wednesday, March 30, 2011

<b>SUBJECT</b>	<b>DESCRIPTION</b>	<b>PRESENTER</b>
<a href="#"><u>RS20709</u></a>	Education, Pro Standards Commission	Jason Hancock, State Department of Education
<a href="#"><u>RS20711</u></a>	School Building Maintenance	Jason Hancock, SDE
<a href="#"><u>RS20712</u></a>	Education, Curricular Materials	Jason Hancock, SDE
<a href="#"><u>RS20666C1</u></a>	Education	Sen. Goedde Rep. Nonini
<a href="#"><u>RS20648C1</u></a>	Education	Sen. Goedde Rep. Nonini

***If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman Nonini  
Vice Chair Shirley  
Rep Trail  
Rep Block  
Rep Nielsen  
Rep Chadderdon(Chadderdon)  
Rep Shepherd  
Rep Wills  
Rep Marriott  
Rep Thayn  
Rep Hartgen  
Rep Bateman  
Rep Boyle  
Rep DeMordaunt  
Rep Nasset  
Rep Pence  
Rep Chew  
Rep Cronin

COMMITTEE SECRETARY

Amber Messa  
Room: EW49  
Phone: (208) 332-1148  
email: amessa@house.idaho.gov

MINUTES  
**HOUSE EDUCATION COMMITTEE**

**DATE:** Wednesday, March 30, 2011

**TIME:** 8:00 A.M.

**PLACE:** Room EW41

**MEMBERS:** Chairman Nonini, Vice Chairman Shirley, Representative(s) Trail, Block, Nielsen, Chadderdon (Chadderdon), Shepherd, Wills, Marriott, Thayn, Hartgen, Bateman, Boyle, DeMordaunt, Nessel, Pence, Chew, Cronin

**ABSENT/  
EXCUSED:** None

**GUESTS:** Sherri Wood, Idaho Education Association (IEA); Bert Marley, IEA; Harold Ott, Idaho Rural Schools Association (IRSA); Phillip Homer, Idaho Association of School Administrators (IASA); Byron Yankey, IASA; Max Pond and Matt Malek, Risch-Pisca PLLC; Luci Willits, State Department of Education (SDE); Jason Hancock, SDE

**Chairman Nonini** called the meeting to order at 8:05 a.m.

**RS 20709:** **Jason Hancock**, State Department of Education, presented **RS 20709**, proposed legislation that would allow the Superintendent of Public Instruction to submit one additional name to the State Board of Education for positions on the Professional Standards Commission for certificated school staff, in addition to the names that are submitted by the various organizations.

In response to a question regarding the need for this legislation, **Mr. Hancock** stated that currently nominations are provided by various private organizations and this legislation would allow the Superintendent to make a nomination as well.

In response to Committee questions, **Mr. Hancock** explained that this legislation would not change the number of PSC members, but would allow one more nomination to be made, in addition to the three nominations made by the State Superintendent, which then go to the State Board of Education for consideration.

**MOTION:** **Rep. Shepherd** moved to introduce **RS 20709**; **motion carried on voice vote.** **Rep. Pence** asked to be recorded as voting nay.

**RS 20711:** **Mr. Hancock** presented **RS 20711**, proposed legislation to give districts and charters more time to submit required information on school facility square footage and use of maintenance funds, requires districts and charters to submit their ten year School Facility Maintenance plans to the Division of Building Safety, instead of to the SDE, and changes the frequency of these plans from being submitted every year to submission every five years.

Regarding SDE oversight, **Mr. Hancock** stated that although the SDE would relinquish its role in the ten year maintenance plan, it would still play a role in the budget of maintenance funds, as schools will continue to submit reports of expenditures using maintenance funds to the SDE annually.

Responding to maintenance concerns, **Mr. Hancock** stated that this legislation will not eliminate annual inspections done by the Division of Building Safety and that the inspections and ten year plans will coincide in an office better suited to deal with maintenance issues.

**MOTION:** **Vice Chairman Shirley** moved to introduce **RS 20711** and send it directly to the Second Reading Calendar.

- SUBSTITUTE MOTION:** **Rep. Cronin** moved to introduce **RS 20711** but hold further debate during the print hearing; **substitute motion carried on voice vote.**
- RS 20712:** **Mr. Hancock** presented **RS 20712**, proposed legislation that would remove the statutory requirement for the SDE to maintain a curriculum library at its office.
- In response to Committee questions, **Mr. Hancock** explained that the SDE library is not used very often, and the same materials can be found at Boise State University (BSU). Although BSU is not statutorily required to maintain a curriculum library, Mr. Hancock is confident they will continue to do so, as it is relevant to the work done in their College of Education. Mr. Hancock added that if this legislation were to pass, the current materials would first be given to BSU and any extra materials dispersed to schools.
- Regarding a question of the total cost savings, **Mr. Hancock** stated that there would be no impact to the General Fund, but that the SDE could make better use of the space, as they have already cut down office space substantially, and the staff member located in the library could direct his/her time toward other projects.
- MOTION:** **Rep. Thayne** moved to introduce **RS 20712**; **motion carried on voice vote.**
- RS 20666C1:** **Sen. Goedde** presented **RS 20666C1**, which makes corrections to **S 1108** by determining when the State Department of Education can withhold payments for a teacher without a valid certification, requires board approval of leaves of absence granted by authorized staff, clarifies that only provisions of master agreements in conflict with statute are null and void rather than the entire agreement, clarifies that extra day supplemental contracts will carry the same contract rights as the underlying contract, retains the 99% rule for the remainder of the current school year, clarifies that non-administrative certificated staff will be considered in education organization membership tallies, eliminates duplicate association tallies, clarifies that trustees must use their last good faith offer when establishing compensation for professional employees and adds an emergency clause.
- In response to a question regarding stakeholder participation, **Sen. Goedde** stated that the Idaho Education Association, School Board Trustees, and school Superintendents were consulted prior to the drafting of this new legislation.
- Regarding a question about membership tallies, **Sen. Goedde** explained that currently there are administrators who are certified, which dilutes the percentage of certified staff represented by the Idaho Education Association. Sen. Goedde added that the phrase "other evidence" listed on page 11, line 14, could mean listing a number of total members.
- MOTION:** **Rep. DeMordaunt** moved to introduce **RS 20666C1**; **motion carried on voice vote.**
- RS 20648C1:** **Sen. Goedde** presented **RS 20648C1**, proposed legislation that makes technical corrections to 33-1004I, Idaho Code, as well as adds an opportunity for local school districts to consider additional criteria in setting factors used for leadership and hard to fill bonuses and adds an emergency clause. These changes will allow the fiscal note for S1110 to be accurate.
- In response to a question regarding the fiscal note, **Sen. Goedde** stated that the original numbers were based on changing the student divisor. When the funding source became salary based apportionments, instead of class size increases, the multipliers needed to be adjusted. The bottom line of this legislation is the same as it was in **S 1110**.
- MOTION:** **Rep. Nielsen** moved to introduce **RS 20648C1**; **motion carried on voice vote.**
- ADJOURN:** There being no further business to come before the Committee, the meeting was adjourned at 9:05 a.m.

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Representative Nonini  
Chair

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Amber Messa  
Secretary

AGENDA  
HOUSE EDUCATION COMMITTEE  
8:00 A.M.  
Room EW41  
Thursday, March 31, 2011

SUBJECT	DESCRIPTION	PRESENTER
<a href="#">H 314</a>	Driver's Training Fees	Rep. Thayn
<a href="#">RS20713</a>	Education	Sen. Goedde
<a href="#">RS20710</a>	Education, Certificates	Rep. Cronin

***If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman Nonini  
Vice Chair Shirley  
Rep Trail  
Rep Block  
Rep Nielsen  
Rep Chadderdon(Chadderdon)  
Rep Shepherd  
Rep Wills  
Rep Marriott  
Rep Thayn  
Rep Hartgen  
Rep Bateman  
Rep Boyle  
Rep DeMordaunt  
Rep Nessel  
Rep Pence  
Rep Chew  
Rep Cronin

COMMITTEE SECRETARY

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MINUTES  
**HOUSE EDUCATION COMMITTEE**

**DATE:** Thursday, March 31, 2011

**TIME:** 8:00 A.M.

**PLACE:** Room EW41

**MEMBERS:** Chairman Nonini, Vice Chairman Shirley, Representative(s) Trail, Block, Nielsen, Chadderdon (Chadderdon), Shepherd, Wills, Marriott, Thayn, Hartgen, Bateman, Boyle, DeMordaunt, Nessel, Pence, Chew, Cronin

**ABSENT/  
EXCUSED:** Representative(s) Chadderdon (Chadderdon)

**GUESTS:** Kim Hatch, Bert Marley and Sherri Wood, Idaho Education Association; Luci Willits and Nick Smith, State Department of Education; Max Pond, Risch-Pisca PLLC; Jess Harrison, Idaho School Boards Administrators; Mike Arnell, Mike Ryals, Harold Ott, Idaho Rural Schools Association (IRSA); Phillip Homer, Idaho Association of School Administrators

**Chairman Nonini** called the meeting to order at 8:06 a.m.

**RS 20710:** **Rep. Cronin** presented **RS 20710**, proposed legislation that would allow the term of teacher certification to be extended by one year. Rep. Cronin stated that costs to teachers can be up to \$2,000 to take courses at Boise State University (including parking, tuition, books, etc), which will cause further burden on teachers after legislation freezing the salary grid is put into place. Rep. Cronin added that districts sometimes reimburse teachers but it is unlikely to happen under continuing budget cuts.

**MOTION:** **Vice Chairman Shirley** moved to introduce **RS 20710**; **motion carried on voice vote.**

**RS 20713:** **Sen. Goedde** presented **RS 20713**, proposed legislation that would require school districts with a high population density to use per pupil formulas instead of per mile formulas to receive transportation reimbursement. This legislation would save \$800,000.

In response to Committee questions, **Sen. Goedde** stated that wording allows districts to be reimbursed using whatever formula is most advantageous to them. However, the intent was for rural schools to use the per mile formula and urban schools to use the per pupil formula. Sen. Goedde explained that it is costly to the state to give districts the option when their students live close together.

**MOTION:** **Rep. Thayn** moved to introduce **RS 20713**; **motion carried on voice vote.**

**H 314:** **Rep. Thayn** presented **H 314**, proposed legislation that would remove from code the \$125 subsidy currently provided to public schools that offer driver's education programs. This legislation would save an estimated \$1 million to the General Fund, and would pay 16% of technology costs or pay for the salaries of 40-50 teachers, with \$2.2 million going annually to the public school income fund and \$100,000 going annually to the state highway account.

Regarding where these funds would be transferred, **Rep. Thayn** agreed that perhaps the funds should go to a transportation related account, and mentioned that, under this legislation, a portion would. However, during the current economic system, the bill sponsors felt that the public income fund would benefit more in receiving additional funds.

**Kim Hatch**, representing himself and his father who owns a private driving school, spoke in favor of **H 314**, stating that it was difficult for private companies to compete with public schools that can lower their prices due to subsidies. Mr. Hatch stated that this legislation would "even the playing field."

**Luci Willits**, State Department of Education (SDE) testified in favor of **H 314**, stating that it would save money to eliminate driver's education subsidies, but mentioned that there may be difficulties in rural areas where no private driver's training programs exist. Ms. Willits recommended changing the state driver's license requirements in the future if this proved to be a serious problem.

**Nick Smith**, SDE, added that schools may receive up to \$125, but may receive less if driver's education programs can be offered at a lower cost. The stipend can only be used to offset the total costs of driver's training, such as instructor wages, vehicle maintenance, etc.

Regarding job elimination, **Ms. Willits** stated that two positions would be eliminated, a program coordinator and one support staff position, totaling approximately \$100,000.

In response to a question regarding standards, **Mr. Smith** stated that there are operating procedures for driver's education, which dictates the hours of instruction, requirements of the vehicles, etc, as well as, a set of standards regarding course content. Mr. Smith explained that private companies report to the Bureau of Occupational Licensing, not the SDE, and that there are differences in both the operating procedures and the course content standards.

Responding to a question regarding discretionary funding, **Ms. Willits** stated that monies in the school public income fund have to be appropriated before being spent.

**Sherri Wood**, Idaho Education Association (IEA), testified in opposition to **H 314**, stating that this legislation does not address the driver's education requirements. Ms. Wood added that the IEA supports the training of young drivers to ensure public safety and feels this legislation may cause access difficulties for some students.

**Harold Ott**, Idaho Rural Schools Association, testified in opposition to **H 314**, stating that his main concern regarding this bill was safety on the roads. Mr. Ott stated that in his experience as a Superintendent, it "was a pain" to administer driver's education programs, but the school continued to provide the program to ensure young drivers were knowledgeable and safe on the roads.

In response to Committee questions, **Mr. Ott** stated that he was concerned that rural schools would eliminate their driver's education programs because local families may not be able to afford the increased fees. Mr. Ott added that young drivers may choose to drive without licenses or insurance instead of paying for driver's education.

**Mike Arnell**, representing himself, testified in favor of **H 314**, stating that this legislation would give more control to local districts, would increase the public income fund. Mr. Arnell stated that enrollment has remained flat and leftover funds are carried over every year, and these funds can go to higher priorities.

In response to Committee questions, **Mr. Arnell** stated that he believes public schools will continue to offer driver's education classes, but that private companies may choose to open in rural areas. Mr. Arnell informed the Committee that public school instructors could become certified to teach for a private company but the pay is typically lower, between \$13 and \$18 an hour.

**Mike Ryals**, owner of a private driver's education company and prior public school teacher, testified in favor of **H 314**. Mr. Ryals stated that currently only Idaho, Montana, Wyoming and Utah reimburse schools for driver's education programs, and some states have never reimbursed schools, and there have not been an "ill effects" reported.

Responding to Committee questions, **Mr. Ryals** stated that it was difficult for private companies to compete when public school programs are subsidized, and that his company wants to train instructors by giving them a mentor and hands on experience, instead of the traditional classroom instruction.

**MOTION:** **Rep. Marriott** moved to send **H 314** to the floor with a **DO PASS** recommendation.

**SUBSTITUTE MOTION:** **Rep. Chew** offered a substitute motion to return **H 314** to its sponsor.

**Reps. Thayn, Bateman, Boyle, and DeMordaunt** spoke in favor of the original motion. Rep. Thayn stated that this legislation helps to prioritize the budget, Reps. Bateman and Boyle stated that parents can teach their kids to drive in lieu of paying for driver's education. Rep. DeMordaunt noted that Nevada has more rural areas than Idaho, and if they can manage without the subsidy Idaho should have no difficulty in doing so.

**AMENDED SUBSTITUTE MOTION:** **Rep. Nielsen** offered an amended substitute motion, to send **H 314** to the floor **without** recommendation, stating the need to have further debate on this legislation; **motion failed on voice vote**.

**ROLL CALL VOTE ON SUBSTITUTE MOTION:** A roll call vote was requested for the substitute motion. Substitute motion **failed, 3 aye, 14 nay, absent/excused: 1. Voting in favor** of the substitute motion: **Reps: Pence, Chew and Cronin. Voting in opposition:** of the substitute motion: **Reps. Shirley, Trail, Block, Nielsen, Shepherd, Wills, Marriott, Thayn, Hartgen, Bateman, Boyle, DeMordaunt, Nessel and Chairman Nonini. Absent/Excused: Rep. Chadderdon (Chadderdon).**

**VOTE ON ORIGINAL MOTION:** The original motion, to send **H 314** to the floor with a **DO PASS** recommendation, **carried on voice vote. Reps. Pence, Chew and Cronin** requested to be recorded as voting nay.

**ADJOURN:** There being no further business to come before the Committee, the meeting was adjourned at 9:49 a.m.

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Representative Nonini  
Chair

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Amber Messa  
Secretary

AGENDA  
HOUSE EDUCATION COMMITTEE  
8:00 A.M.  
Room EW41  
Monday, April 04, 2011

<u>SUBJECT</u>	<u>DESCRIPTION</u>	<u>PRESENTER</u>
<a href="#"><u>RS20733</u></a>	Charter Schools	Rep. Bayer
<a href="#"><u>RS20734</u></a>	Fiscal Matters, School Districts	Rep. Nonini Sen. Goedde
<a href="#"><u>RS20725C1</u></a>	Education	Rep. Nonini Sen. Goedde
<a href="#"><u>H 335</u></a>	Education	Jason Hancock, State Dept. of Education
<a href="#"><u>H 336</u></a>	Education	Jason Hancock, SDE

***If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman Nonini	Rep Thayn
Vice Chair Shirley	Rep Hartgen
Rep Trail	Rep Bateman
Rep Block	Rep Boyle
Rep Nielsen	Rep DeMordaunt
Rep Chadderdon(Chadderdon)	Rep Nessel
Rep Shepherd	Rep Pence
Rep Wills	Rep Chew
Rep Marriott	Rep Cronin

COMMITTEE SECRETARY

Amber Messa  
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MINUTES  
**HOUSE EDUCATION COMMITTEE**

**DATE:** Monday, April 04, 2011

**TIME:** 8:00 A.M.

**PLACE:** Room EW41

**MEMBERS:** Chairman Nonini, Vice Chairman Shirley, Representative(s) Trail, Block, Nielsen, Chadderdon (Chadderdon), Shepherd, Wills, Marriott, Thayn, Hartgen, Bateman, Boyle, DeMordaunt, Nessel, Pence, Chew, Cronin

**ABSENT/  
EXCUSED:** Representative(s) Bateman

**GUESTS:** Harold Ott, Idaho Rural Schools Association (IRSA); Phillip Homer, Idaho Association of School Administrators; Sherri Wood, Idaho Education Association (IEA); Bert Marley, IEA; Tamara Baysinger, Public Charter Schools Commission; Michelle Taylor and Luci Willits, State Department of Education; Karen Echeverria, Idaho School Boards Association; Matthew Malek, Risch-Pisca PLLC; Suzanne Budge, SBS Associates LLC; Mark Browning, State Board of Education

**Chairman Nonini** called the meeting to order at 8:06 a.m.

**MOTION:** **Rep. Thayn** moved to approve the minutes from March 28, 2011; **motion carried on voice vote.**

**MOTION:** **Rep. Pence** moved to approve the minutes from March 29, 2011; **motion carried on voice vote.**

**MOTION:** **Rep. Thayn** moved to approve the minutes from March 30, 2011; **motion carried on voice vote.**

**RS 20733:** **Rep. Bayer** presented **RS 20733**, proposed legislation that would strike existing code regarding the cap on the number of new public charter schools opened in Idaho each year. Rep. Bayer explained that there was little data regarding charter schools in Idaho when the cap was put in place, and now that the state has over a decade of experience and information, the cap is no longer needed. Also, a removal of the cap would draw more businesses and sponsors to Idaho that wish to invest in education and in charter schools.

In response to Committee questions, **Rep. Bayer** stated that it was unknown how removing the cap would affect the number of charter school applications received each year, but this legislation would expedite the application process, leaving less schools in "the queue" awaiting approval. Rep. Bayer added that there were other restrictions regarding charter schools but the cap was seen as the main restriction of the state.

Regarding the late introduction of this legislation, **Rep. Bayer** stated that other charter school efforts delayed efforts of this legislation. Rep. Bayer stated that funding will always be a challenge for charter schools.

**MOTION:** **Rep. Shepherd** moved to introduce **RS 20733**.

**SUBSTITUTE  
MOTION:** **Rep. Boyle** offered a substitute motion, to introduce **RS 20733** and send to the second reading calendar.

**Reps. Pence, Hartgen** and **Trail** spoke against the substitute motion, stating that stakeholders should have a chance to testify before sending this bill to the floor.

**VOTE ON  
SUBSTITUTE  
MOTION:**

The substitute motion, to introduce **RS 20733** and send to the second reading calendar; **failed on voice vote.**

**VOTE ON  
ORIGINAL  
MOTION:**

The original motion, to introduce **RS 20733**; **carried on voice vote.**

**RS 20734:**

**Jason Hancock**, State Department of Education (SDE), presented **RS 20734**, proposed legislation that provides another year of relief from the requirement that school districts allocate a certain amount of funding for school building maintenance. This legislation also makes technical corrections that will allow school districts to continue requesting that their local voters convert existing plant facility levies into supplemental levies in any year in which the state reduces K-12 funding.

In response to Committee questions, **Mr. Hancock** explained that a formula is given in the legislation to determine if schools have an safety concerns, or if the funds can be allocated elsewhere.

Regarding the costs of deferred maintenance, **Mr. Hancock** stated that deferring maintenance costs is not ideal, but budget restraints have forced the state to do so.

**MOTION:**

**Rep. Nielsen** moved to introduce **RS 20734** and send directly to the second reading calendar.

**SUBSTITUTE  
MOTION:**

**Rep. Cronin** offered a substitute motion, to introduce **RS 20734**, stating that he would like to hear from stakeholders; **carried on voice vote.**

**RS 20725C1:**

**Mr. Hancock**, SDE, presented **RS 20725C1**, a trailer bill to **S 1184**. This legislation provides additional relief from the state's "use it or lose it" requirement for state instructional staff funding. The relief is expanded from the 6%, 8% and 10% granted by **S 1184** for FY2012, FY2013 and FY2014+ to 7%, 9.5% and 11%. This adjustment allows the amount of relief to better reflect the actual budget that was set for Public Schools after the introduction of **S 1184**. This legislation also deletes language from Section 33-5216, Idaho Code that is no longer applicable. An emergency is declared for all sections of this act and **S 1184**, and language is added to provide greater time specificity for certain provisions. This will ensure that the budget and laws established for public schools cannot be interrupted in an untimely manner, allowing school districts to begin planning and budgeting immediately.

In response to a question regarding the emergency clause, **Mr. Hancock** stated that the emergency clause is separate from the rest of the legislation in order to maintain the necessary sequence of items in the bill.

**MOTION:**

**Vice Chairman Shirley** moved to introduce **RS 20725C1**; **motion carried on voice vote.**

**H 335:**

**Mr. Hancock**, SDE, presented **H 335**, trailer legislation to **S 1108**, which determines when the State Department of Education can withhold payments for a teacher without a valid certification, requires board approval of leaves of absence granted by authorized staff, clarifies that only provisions of master agreements in conflict with statute are null and void rather than the entire agreement, clarifies that extra day supplemental contracts will carry the same contract rights as the underlying contract, retains the 99% rule for the remainder of the current school year, clarifies that non-administrative certificate staff will be considered in education organization membership tallies, eliminates duplicate association tallies, clarifies that trustees must use their last good faith offer when establishing compensation for professional employees and adds an emergency clause.

In response to a question regarding what would happen should the emergency clause not go into effect, **Mr. Hancock** stated that \$20 million of appropriated funds would be impacted if a referendum were put in place, which would create a situation in which no money would be available for technology, minimum teacher salaries wouldn't increase, there would be no dual credit monies, nor funding to help districts with the new math and science graduation requirements.

Regarding possible conflicts between this bill and other legislation, **Mr. Hancock** stated that there were no conflicts regarding legislation brought before the Committee earlier this session.

**Bert Marley**, Idaho Education Association (IEA), testified in favor of **H 335**, stating that the IEA is appreciative of having a role in these corrections, and although they may disagree with the need for an emergency clause and the overall education reform legislation, they have no issues with **H 335**.

Regarding the emergency clause, **Mr. Hancock** explained that if a referendum is called for, legislation does not go into effect until a vote is held on the matter, which wouldn't be until November 2012. An emergency clause would allow the legislation to go into effect immediately until the 2012 elections.

**Phil Homer**, Idaho Association of School Administrators (IASA) testified in favor of **H 335**.

**Karen Echeverria**, Idaho School Boards Association (ISBA), testified in favor of **H 335**, mentioning that without the emergency clause contracts may have to be renegotiated, as the deadline to file a referendum is 60 days after the close of the Legislature, which would be after the June deadline for districts to offer teacher contracts.

**MOTION:**

**Vice Chairman Shirley** moved to send **H 335** to the floor with a **DO PASS** recommendation; **motion carried on voice vote**. **Chairman Nonini** will sponsor the bill on the floor.

**H 336:**

**Mr. Hancock**, SDE, presented **H 336**, a trailer bill to **S 1110** that would make technical corrections to 33-1004I, Idaho Code, as well as add an opportunity for local school districts to consider additional criteria in setting factors used for leadership and hard to fill bonuses. It also adds an emergency clause.

In response to Committee questions, **Mr. Hancock** explained that an extensive list is provided in **S 1110** in regards to student growth measurements. **H 336** allows for districts to submit other criteria, should they not be included on the list.

In response to Committee concern that the growth measurement list will be too long, **Rep. DeMordaunt** commented that the list was not intended for all criteria to be used, but that districts should carefully pick from the list.

**Mr. Marley**, IEA, **Phil Homer**, IASA, and **Karen Echeverria**, ISBA, testified in favor of **H 336**. Mr. Homer added that he believes additions to the criteria list will be minimal and gave the example of variations in position titles between districts.

Responding to concerns that student growth measurements will become "watered down," **Chairman Nonini** stated that the language, "subject to the approval of the State Department of Education," ensured quality measurements would be used. Rep. Nonini added that Pay for Performance would not begin until 2013, leaving time to bring further legislation before the Committee.

**MOTION:** **Rep. Wills** moved to send **H 336** to the floor with a **DO PASS** recommendation; **motion carried on voice vote. Rep. Hartgen** asked to be recorded as voting nay. **Chairman Nonini** will sponsor the bill on the floor.

**ADJOURN:** There being no further business to come before the Committee, the meeting was adjourned at 9:30 a.m.

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Representative Nonini  
Chair

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Amber Messa  
Secretary

AGENDA  
HOUSE EDUCATION COMMITTEE  
8:00 A.M.  
Room EW41  
Tuesday, April 05, 2011

SUBJECT	DESCRIPTION	PRESENTER
<a href="#">H 315</a>	Education, Trailer	Rep. Roberts
<a href="#">H 340</a>	Education, Certificates	Rep. Cronin
<a href="#">H 333</a>	School Building Maintenance	Jason Hancock, State Dept. of Education
<a href="#">H 334</a>	Curriculum Libraries	Jason Hancock, SDE

***If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman Nonini  
Vice Chair Shirley  
Rep Trail  
Rep Block  
Rep Nielsen  
Rep Chadderdon(Chadderdon)  
Rep Shepherd  
Rep Wills  
Rep Marriott  
Rep Thayn  
Rep Hartgen  
Rep Bateman  
Rep Boyle  
Rep DeMordaunt  
Rep Nessel  
Rep Pence  
Rep Chew  
Rep Cronin

COMMITTEE SECRETARY

Amber Messa  
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Phone: (208) 332-1148  
email: amessa@house.idaho.gov

MINUTES  
**HOUSE EDUCATION COMMITTEE**

**DATE:** Tuesday, April 05, 2011

**TIME:** 8:00 A.M.

**PLACE:** Room EW41

**MEMBERS:** Chairman Nonini, Vice Chairman Shirley, Representative(s) Trail, Block, Nielsen, Chadderdon (Chadderdon), Shepherd, Wills, Marriott, Thayn, Hartgen, Bateman, Boyle, DeMordaunt, Nessel, Pence, Chew, Cronin

**ABSENT/  
EXCUSED:** Representative(s) Chadderdon (Chadderdon)

**GUESTS:** Harold Ott, Idaho Rural Schools Association (IRSA); Phillip Homer, Idaho Association of School Administrators (IASA); Sherri Wood, Idaho Education Association (IEA); Bert Marley, IEA; Luci Willits and Christina Linder, Department of Education (SDE); Karen Echeverria, Idaho School Boards Association; Matthew Malek, Risch-Pisca PLLC; Ray Amaya, 670AM KBOI

**Chairman Nonini** called the meeting to order at 8:04 a.m.

**MOTION:** **Rep. Thayn** moved to approve the minutes from March 31, 2011; **motion carried on voice vote.**

**MOTION:** **Rep. Pence** moved to approve the minutes from April 4, 2011; **motion carried on voice vote.**

**H 340:** **Rep. Cronin** presented **H 340**, proposed legislation that would allow for the term of the teacher certificate to be extended one year in any fiscal year the Legislature freezes the education multiplier of the salary-based apportionment as provided for in section 33-1004A.

**Phillip Homer**, Idaho Association of School Administrators (IASA), testified in favor of **H 340**.

**Luci Willits**, State Department of Education (SDE), stated the SDE's neutrality regarding this bill. Ms. Willits noted that there may be unintended consequences regarding recertification fees that go into a dedicated fund for the Professional Standards Commission (PSC).

In response to Committee questions, **Christina Linder**, SDE, explained that the average amount received from recertification fees was \$290,000, which is 80% of the PSC annual budget. Ms. Linder added that teachers must recertify every five years by completing six credits, three of which, can be services performed in district and signed off by an administrator, costing nothing to the teacher, and the remaining three credits cost teachers around \$65 per credit.

Regarding carryover funds, **Ms. Willits** stated that there were usually extra funds each year, but due to economic difficulties, the funds were shifted to cover other educational costs. Ms. Willits stated that efforts have been made to better align funding with programming and it is unlikely that the SDE would ask the Joint Finance and Appropriations Committee for more funds, should a decline in fees result from this legislation.

**Sherri Wood**, Idaho Education Association (IEA), testified in support of **H 340**, stating that this bill would bring fairness to teachers, providing them more time to recertify during times when the education multiplier of the salary grid was frozen. Ms. Woods added that all governmental agencies are being asked to work with reduced budgets, not just the PSC.

**MOTION:** **Rep. Hartgen** moved to send **H 340** to General Orders after **Rep. Cronin** and the SDE could sort out the details of this bill. Rep. Hartgen added that this legislation, if passed, needs to be right the first time.

**SUBSTITUTE MOTION:** **Rep. Marriott** moved to **HOLD H 340** in Committee; stating that this legislation needed some improvement before going to the floor.

**AMENDED SUBSTITUTE MOTION:** **Rep. Wills** moved to send **H 340** to the floor with a **DO PASS** recommendation, stating that this legislation had stakeholder approval and neutrality from the SDE.

**Rep. Cronin** closed by stating that **H 340** was a good piece of legislation, which hopefully won't be needed in the future. Rep. Cronin stated that surplus money may be responsible for the growing scope of the PSC, and therefore a surplus may still occur in future years. Rep. Cronin added that all state agencies are being asked to cut back, and the PSC should do so as well.

In response to Committee concerns, **Rep. Cronin** pointed out that recertification is only extended for one year in this legislation.

**Chairman Nonini** stated that the Committee has tried to give flexibility to stakeholders during this session, and this bill would give teachers flexibility.

**ROLL CALL VOTE ON AMENDED SUBSTITUTE MOTION:** A roll call vote was requested for the amended substitute motion. Amended substitute motion **passed, 12 aye, 5 nay, 1 absent/excused. Voting in favor** of the amended substitute motion: **Reps. Shirley, Trail, Block, Nielsen, Wills, Thayn, DeMordaunt, Nessel, Pence, Chew, Cronin** and **Chairman Nonini. Voting in opposition** to the amended substitute motion: **Reps. Shepherd, Marriott, Hartgen, Bateman** and **Boyle. Rep. Cronin** will sponsor the bill on the floor.

**H 315:** **Rep. Roberts** presented **H 315**, a trailer bill to **S 1108**, which removes the severance fee to be paid to any professional staff whose positions must be eliminated due to lost enrollment and includes a 97% average daily attendance protection feature of the state funding formula. The 97% inclusion will be for one year only as a phaseout for those districts experiencing the largest decline in enrollment and will expire July 1, 2012.

In response to Committee questions, **Rep. Roberts** stated that there is no way to determine which districts will see decreased enrollment, but that there are ways to better estimate student enrollment. Rep. Roberts mentioned that his district tracks birth rates and it has helped to estimate enrollment. Rep. Roberts stated that it was not his intention to renew the 97% protection next year, but that other members of the Legislature could do so if they thought it was necessary.

**Mr. Homer**, IASA, and **Karen Echeverria**, Idaho School Boards Association, testified in favor of **H 315**. Mr. Homer stated that this bill would require districts to honor teacher contracts and that a one year 97% protection floor was better than none at all.

**Ms. Wood**, IEA, testified in opposition to the removal of 99% protection funding, but supports the removal of severance pay to assure that districts honor teacher contracts.

**MOTION:** **Rep. Nielsen** moved to send **H 315** to the floor with a **DO PASS** recommendation; **motion carried on voice vote. Rep. Roberts** will sponsor the bill on the floor.

**H 333:** **Ms. Willits**, SDE, presented **H 333**, proposed legislation that would provide districts and charters with an additional 15-21 days each year to submit the required information on school facility square footage and use of maintenance funds to the State Department of Education. It also eliminates the requirement that districts and charters must submit 10-Year School Facility Maintenance plans to the state every year, and replaces it with a requirement that these reports be submitted every five years. In addition, instead of submitting the 10-Year Facility Maintenance plans to the State Department of Education, they would be submitted to the Division of Building Safety.

**MOTION:** **Vice Chairman Shirley** moved to send **H 333** to the floor with a **DO PASS** recommendation; **motion carried on voice vote**. **Vice Chairman Shirley** will sponsor the bill on the floor.

**H 334:** **Ms. Willits**, SDE, presented **H 334**, proposed legislation that would remove the statutory requirement that the State Department of Education maintain a curriculum library at the department's office. **Ms. Willits** added that the SDE's library is seldom utilized by the public, and that Boise State University (BSU) maintains curriculum materials and has better hours.

In response to Committee questions, **Ms. Willits** stated that BSU does not have all curriculum in their library, but chooses what curriculum will be maintained in the library.

Regarding library check out policies, **Rep. Chew** stated that only students and state staff can check out materials from the BSU library, however everyone has access to the materials. **Rep. Trail** added that the University of Idaho checks out materials to non-students on a loan program.

Responding to Committee questions, **Ms. Willits** stated that SDE employees rarely use the curriculum materials because they are more focused on the standards of the curriculum, not the textbooks themselves. **Ms. Willits** stated that this legislation would save space in the office, which could potentially save money as meetings could be held in-house instead of at rented facilities.

**MOTION:** **Rep. Block** moved to send **H 334** to the floor with a **DO PASS** recommendation; **motion carried on voice vote**. **Rep. Block** will sponsor the bill on the floor.

**ADJOURN:** There being no further business to come before the Committee, the meeting was adjourned at 9:33 a.m.

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Representative Nonini  
Chair

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Amber Messa  
Secretary

AGENDA  
HOUSE EDUCATION COMMITTEE  
8:00 A.M.  
Room EW41  
Wednesday, April 06, 2011

SUBJECT	DESCRIPTION	PRESENTER
<a href="#">H 344</a>	Fiscal Matters, School Districts	Rep. Nonini
<a href="#">H 346</a>	Charter Schools	Rep. Bayer

***If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman Nonini  
Vice Chair Shirley  
Rep Trail  
Rep Block  
Rep Nielsen  
Rep Chadderdon(Chadderdon)  
Rep Shepherd  
Rep Wills  
Rep Marriott  
Rep Thayn  
Rep Hartgen  
Rep Bateman  
Rep Boyle  
Rep DeMordaunt  
Rep Nessel  
Rep Pence  
Rep Chew  
Rep Cronin

COMMITTEE SECRETARY

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MINUTES  
**HOUSE EDUCATION COMMITTEE**

**DATE:** Wednesday, April 06, 2011

**TIME:** 8:00 A.M.

**PLACE:** Room EW41

**MEMBERS:** Chairman Nonini, Vice Chairman Shirley, Representative(s) Trail, Block, Nielsen, Chadderdon (Chadderdon), Shepherd, Wills, Marriott, Thayn, Hartgen, Bateman, Boyle, DeMordaunt, Nessel, Pence, Chew, Cronin

**ABSENT/  
EXCUSED:** Representative(s) Block

**GUESTS:** Ken Burgess, Idaho Charter School Network; Wayne Hoffman, Idaho Freedom Foundation; Tamara Baysinger, Public Charter Schools Commission (PCSC); Gayann DeMordaunt, PCSC; Byron Yankey, Idaho Association of School Administrators (IASA); Bert Marley, Idaho Education Association; Phil Homer, IASA; Tim Hill, State Department of Education (SDE); Michelle Taylor, SDE, Emma Roemhildt, Idahoans for Choice; Jessica Harrison, Idaho School Boards Association; Suzanne Budge, SBS Associates LLC; Jane Wittmeyer, Wittmeyer and Associates; Leslie Mauldin, Coalition of Idaho Charter Schools; Luci Willits, SDE; Gayle O'Donahue, PCSC

**Chairman Nonini** called the meeting to order at 8:05 a.m.

**H 344:** **Chairman Nonini** presented **H 344**, proposed legislation that would provide another year of relief in FY12 from the requirement that school districts allocate a certain amount of funding for school building maintenance. This bill makes technical corrections that will allow school districts to continue requesting that their local voters convert existing plant facility levies into supplemental levies in any year in which the state reduces K-12 funding.

**Phil Homer**, Idaho Association of School Administrators, and **Jessica Harrison**, Idaho School Boards Association, testified in favor of **H 344**, stating that they appreciate the flexibility and relief it gives to school districts during tough economic times.

**MOTION:** **Rep. Wills** moved to send **H 344** to the floor with a **DO PASS** recommendation; **motion carried on voice vote. Chairman Nonini** will sponsor the bill on the floor.

**H 346:** **Rep. Bayer** presented **H 346**, proposed legislation that would remove the 6 school limit on chartering public charter schools in Idaho.

**Ken Burgess**, Idaho Charter School Network, testified in favor of **H 346**, stating that the cap is irrelevant since previous legislation and restructuring of the Department of Education has created greater oversight and control of charter schools. Mr. Burgess shared information regarding Idaho's National Alliance for Public Charter Schools ranking of 28, and stated that removing the cap on charter schools will offer Idaho a better chance at applying for non-state monies.

In response to Committee questions, **Mr. Burgess** stated that some funds go directly to charter schools and others go through state agencies. Mr. Burgess added that currently, investors view Idaho as "unfriendly" toward charter schools and are therefore hesitant to invest.

Regarding evidence that the cap is affecting Idaho's chance at non-state monies, **Mr. Burgess** stated that the evidence was anecdotal and was gathered from conversations between foundations and the Idaho Charter School Network Executive Director.

Responding to a question regarding Idaho's ranking, **Mr. Burgess** stated that Idaho's score would go from 94 to 103 if the cap were removed.

Regarding the education reforms, **Mr. Burgess** stated that the charter school community supported the reforms, but that removal of the cap has been a topic of discussion for several years. Mr. Burgess added that only the third reform bill affected charter schools, as it dealt with state funding.

In response to a question regarding deletion of lines 26-30, **Tamara Baysinger**, Public Charter School Commission (PCSC), stated that the language would be irrelevant if the cap were removed, as it deals with the transfer of a charter not being included toward the six charter schools allowed each year.

**Gayanne DeMordaunt**, PCSC, testified in favor of **H 346**, stating that the response from foundations while working on the "Race to the Top" grant was that the cap was a disadvantage to Idaho. Mrs. DeMordaunt added that there is about \$5 billion in private monies available to charter schools, and that 92% of charter school budgets come from the state. This legislation would help charters obtain more money through non-state entities. Mrs. DeMordaunt added that charter schools address unique needs of Idaho students and noted the results of several schools catered to at risk and special needs populations.

In response to Committee questions, **Michelle Taylor**, State Department of Education (SDE), stated that foundations first look at whether a state is "friendly" toward charters, before investing. **Luci Willits**, SDE, added that charter school caps have become a factor in grant competitiveness with greater bipartisan effort to promote innovative education and noted that in Idaho, the first six schools to apply are opened, not necessarily the six best quality schools.

Explaining Idaho's ranking further, **Ms. Taylor** stated that removing the cap would increase Idaho's ranking, but that Idaho lost points on other issues as well, such as, required participation in the Public Employee Retirement System of Idaho (PERSI).

**Leslie Mauldin**, Coalition of Idaho Charter Schools, and **Wayne Hoffman**, Idaho Freedom Foundation, testified in favor of **H 346**, stating that this bill would help facilitate the application process for funding opportunities.

**Bert Marley**, Idaho Education Association (IEA), testified in opposition to **H 346**, stating that although the IEA supports charter schools, there is concern that removing the cap would create a large increase in charter schools during a time that funding is already limited.

Regarding cost, **Jason Hancock**, SDE, stated that if a student moved from a high divisor district to a charter school with a low divisor, if all other formula factors stayed the same, there would be a 1/3 increase in cost per student. Mr. Hancock noted that other factors would more than likely be different, so it is difficult to give a definitive answer.

**Phil Homer**, Idaho Association of School Administrators (IASA), testified in opposition to **H 346** stating that increased charter school applications would further exacerbate the already present economic hardships.

Responding to a question regarding previous IASA recommendations to the Joint Finance and Appropriations Committee, **Mr. Homer** stated that the IASA maintains its recommendation to place a moratorium on new charter schools until the economy improves.

In response to a question regarding the application process, **Ms. Willits** stated that the SDE will not decrease the rigor of the charter school application process and will be available to give technical assistance to applicants.

**MOTION:**

**Rep. DeMordaunt** moved to send **H 346** to the floor with a **DO PASS** recommendation.

**Rep. Nielsen** spoke to the motion stating that removing the cap will not cause a flood of applications, as there are other rules in place for quality control that will serve as limiting factors.

**Rep. Cronin** spoke against the motion, stating that there is a lack of evidence that removing the cap would in fact affect Idaho's chances in receiving non-state monies. Rep. Cronin stated his surprise that foundations would invest in states due to the number of charter schools instead of their quality and added that the recent shift toward consolidating school districts seems to be in contradiction to this bill, which would create de-consolidation. Rep. Cronin added that this bill also contradicts the Legislature's past condemnation of accepting federal monies.

**Rep. Hartgen** spoke in favor of the motion, stating that self-imposed limitations, such as enrollment caps, place greater restrictions on charter schools than a cap does.

**VOTE ON MOTION:**

The motion to send **H 346** to the floor with a **DO PASS** recommendation; **carried on voice vote**. **Rep. Bayer** will sponsor the bill on the floor.

**ADJOURN:**

There being no further business to come before the Committee, the meeting was adjourned at 9:41 a.m.

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Representative Nonini  
Chair

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Amber Messa  
Secretary

AGENDA  
HOUSE EDUCATION COMMITTEE  
8:00 A.M.  
Room EW41  
Thursday, April 07, 2011

SUBJECT	DESCRIPTION	PRESENTER
<a href="#">S 1208</a>	Youth Challenge Program	Sen. Brackett
<a href="#">RS20748</a>	Public Charter Schools	Rep. DeMordaunt

***If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman Nonini  
Vice Chair Shirley  
Rep Trail  
Rep Block  
Rep Nielsen  
Rep Chadderdon(Chadderdon)  
Rep Shepherd  
Rep Wills  
Rep Marriott  
Rep Thayn  
Rep Hartgen  
Rep Bateman  
Rep Boyle  
Rep DeMordaunt  
Rep Nessel  
Rep Pence  
Rep Chew  
Rep Cronin

COMMITTEE SECRETARY

Amber Messa  
Room: EW49  
Phone: (208) 332-1148  
email: amessa@house.idaho.gov

MINUTES  
**HOUSE EDUCATION COMMITTEE**

**DATE:** Thursday, April 07, 2011

**TIME:** 8:00 A.M.

**PLACE:** Room EW41

**MEMBERS:** Chairman Nonini, Vice Chairman Shirley, Representative(s) Trail, Block, Nielsen, Chadderdon (Chadderdon), Shepherd, Wills, Marriott, Thayn, Hartgen, Bateman, Boyle, DeMordaunt, Nessel, Pence, Chew, Cronin

**ABSENT/  
EXCUSED:** None

**GUESTS:** Bert Marley and Robin Nettinga, Idaho Education Association; Heather Schlader and Hank Ebert, Department of Commerce; Mark Browning, State Board of Education; Gary Saylor, Military Division; Don Ebert, Clearwater County; Suzanne Budge, SBS Associates LLC

**Chairman Nonini** called the meeting to order at 8:08 a.m.

**MOTION:** **Rep. Thayn** moved to approve the minutes from April 5, 2011; **motion carried on voice vote.**

**MOTION:** **Rep. Pence** moved to approve the minutes from April 6th, 2011; **motion carried on voice vote.**

**S 1208:** **Sen. Brackett** presented **S 1208**, proposed legislation that authorizes the establishment of the National Guard Youth Challenge Program, a multi-phase youth intervention program intended to improve the education, life skills and employment potential of high school dropouts in the state of Idaho. **Sen. Brackett** highlighted the effects this program would have on Idaho's youth and the local economy.

In response to Committee questions, **Sen. Brackett** stated that the estimated enrollment would eventually reach 250, with the completion rate to be around 90%, as demonstrated in other states. **Sen. Brackett** stated that with 250 students, the costs would be \$16,000 per student, compared to the \$50,000 per person cost of incarceration.

Regarding funding, **Sen. Brackett** explained that \$250,000 would be a grant transferred from the Department of Commerce, with the rest of funding coming from private donations. There would be no contribution required of the General Fund.

Responding to questions over school oversight, **Sen. Brackett** explained that as the school was currently set up, the school would not be under the State Department of Education (SDE), but if the school were ever to achieve alternative school status, it could receive Average Daily Attendance (ADA) funding and have greater input from the local district.

In response to Committee questions, **General Saylor** explained that the program receives most of its funding from the Department of Defense. The school is not an alternative school as of now, therefore it cannot award high school diplomas and is not required to hire certified teachers. However, the intent would be to hire as many certified teachers as possible. There would be a portion of private monies used to bring the school building up to code, and to bring in modular units for girls' and boys' dormitories.

Regarding high school credits, **General Saylor** stated that under the school's current status, students would be able to take the G.E.D. exam, and although students would not be able to receive a diploma from the Challenge School, they would be given the skills needed to reenter a traditional school and make up credits. General Saylor informed the Committee that some branches of the military accept GEDs, but on a waiver program, but that only 18% of Challenge students around the country enlist upon program completion.

**Don Ebert**, Clearwater County, testified in favor of **S 1208**, explaining the full community support and the economic development this program would bring to the community and surrounding areas.

**Rep. Roberts** and **Sen. Brackett** closed by reiterating the benefits the program will have on Idaho students and the local economy.

**MOTION:**

**Rep. Shepherd** moved to send **S 1208** to the floor with a **DO PASS** recommendation.

**Rep. Nielsen** spoke in favor of the motion, stating that the structure and discipline would help at risk students.

**Rep. Bateman** spoke in favor of the motion, but hopes the school will eventually allow students to receive high school credits.

**Rep. Cronin** spoke in favor of the motion, stating that the school will help a needy and under-served population, and although he appreciates the potential for economic development, Rep. Cronin asked the Committee to remember that the message that bringing teacher jobs will help the local economy is not consistent with past efforts of reducing teacher positions around the state.

**Rep. Thayn** added that opening up the area for timber production would bring greater economic development to the area.

**VOTE ON MOTION:**

The motion to send **S 1208** to the floor with a **DO PASS** recommendation; **carried on voice vote.**

**RS 20748:**

**Rep. DeMordaunt** presented **RS 20748**, which would allow charter schools to purchase a state guarantee of loan repayment.

In response to Committee questions, **Rep. DeMordaunt** explained that charter schools would pay a 6% fee, which would be 6% of their total loan. This money would be set aside as a safety net should loans default. Rep. DeMordaunt stated that charter schools currently pay high interest rates on loans, and this legislation would allow money to go toward educating students, instead of toward paying off interest. Rep. DeMordaunt added that this legislation was to begin a dialog on the topic, with the hopes of including stakeholders and the Treasurer.

**MOTION:**

**Rep. Hartgen** moved to introduce **RS 20748**; **motion carried on voice vote.**

**ADJOURN:**

There being no further business to come before the Committee, the meeting was adjourned at 9:25 a.m.

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Representative Nonini  
Chair

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Amber Messa  
Secretary

AGENDA  
HOUSE EDUCATION COMMITTEE  
12:00 P.M.  
Room EW41  
Thursday, April 07, 2011

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SUBJECT	DESCRIPTION	PRESENTER
	Approval of Minutes	

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***If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman Nonini  
Vice Chair Shirley  
Rep Trail  
Rep Block  
Rep Nielsen  
Rep Chadderdon(Chadderdon)  
Rep Shepherd  
Rep Wills  
Rep Marriott  
Rep Thayn  
Rep Hartgen  
Rep Bateman  
Rep Boyle  
Rep DeMordaunt  
Rep Nessel  
Rep Pence  
Rep Chew  
Rep Cronin

COMMITTEE SECRETARY

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email: [amessa@house.idaho.gov](mailto:amessa@house.idaho.gov)

MINUTES  
**HOUSE EDUCATION COMMITTEE**

**DATE:** Thursday, April 07, 2011

**TIME:** 12:00 P.M.

**PLACE:** Room EW41

**MEMBERS:** Chairman Nonini, Vice Chairman Shirley, Representative(s) Trail, Block, Nielsen, Chadderdon (Chadderdon), Shepherd, Wills, Marriott, Thayn, Hartgen, Bateman, Boyle, DeMordaunt, Nessel, Pence, Chew, Cronin

**ABSENT/  
EXCUSED:** None

**GUESTS:** None

**Chairman Nonini** called the meeting to order at 12:00 p.m.

**MOTION:** **Rep. Pence** moved to approve the minutes from the morning of April 7, 2011; **motion carried on voice vote.**

**ADJOURN:** There being no further business to come before the Committee, the meeting was adjourned at 12:02 p.m.

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Representative Nonini  
Chair

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Amber Messa  
Secretary