

MINUTES  
**SENATE EDUCATION COMMITTEE**

**DATE:** Thursday, February 13, 2014

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

**PLACE:** Room WW55

**MEMBERS PRESENT:** Chairman Goedde, Vice Chairman Mortimer, Senators Pearce, Fulcher, Nonini, Thayn, Patrick, Buckner-Webb(Rohn) and Ward-Engelking

**ABSENT/ EXCUSED:** None

**NOTE:** The sign-in sheet, testimonies and other related materials will be retained with the minutes in the committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.

**CONVENED:** **Chairman Goedde** called the Senate Education Committee (Committee) to order at 3:08 p.m., and a silent roll was taken.

**UNANIMOUS CONSENT:** **Vice Chairman Mortimer** stated that **RS 22866**, a Concurrent Resolution, requests that an interim committee be appointed to study Idaho's Professional Technical Education (PTE) system. **Vice Chairman Mortimer** noted that the PTE system has not been reviewed for a long time, yet it is an integral component in the State Board of Education's 60 percent college goal.

**RS 22866**

**Senator Fulcher** made a request for unanimous consent to send **RS 22866** to the State Affairs Committee for a print hearing. There were no objections.

**S 1342** **Senator Lakey** explained that in the 2013 Legislative Session, **S 1150** established the school board as the finder of fact in hearings involving administrative leave. **S 1342** adds a section allowing an appellant to augment the record under specific criteria: (1) that the request is made in a timely manner; (2) that the new evidence to be presented is relevant; and (3) that good cause exists for the appellant's failure to present the evidence at the initial hearing. Additional language clarified that this section applies only to certificated employees. The proposed legislation has consensus from the Idaho School Boards Association.

**MOTION:** **Vice Chairman Mortimer** made a motion to send **S 1342** to the Senate floor with a **do pass** recommendation. **Senator Thayn** seconded the motion. The motion carried by **voice vote**. Senator Lakey will carry the bill on the floor.

**PRESENTATION:** **Dr. Bob Kustra**, President, Boise State University (BSU), said that a significant correlation exists between Idaho's hot jobs for 2010-2020 and the courses offered at BSU. The top 20 jobs include registered nurses, medical and health services managers, physical therapists, dental hygienists, pharmacists, software developers/applications, management analysts, physicians and surgeons, network and computer systems administrators, market research analysts and marketing specialists, radiologic technologists and technicians, family and general practitioners, physician assistants, licensed practical nurses, mechanical engineers, electrical engineers, computer systems analysts, industrial machinery mechanics, loan officers and elementary school teachers. BSU is working hard to provide degrees to meet current economics demands. Strong emphasis has been placed

on science, technology, english and math (STEM) areas. Progress has been made in the last five years to more closely align appropriate degree programs to economic demands.

BSU has implemented four new ways to better prepare their students for their careers. A foundational studies program has been developed to teach more critical thinking and problem solving skills. E-Portfolios will show what students have learned and bridge the gap between college and career. A career center has been expanded to facilitate relationships between students and employers. Students are introduced to the career center in their freshmen year rather than waiting until their senior year. A Venture College has been opened to give students a chance to start their own businesses with the help of local mentors. Steps have been taken to improve transferability from other institutions. Smooth transitions get students to graduation more quickly.

BSU is taking seriously the State Board of Education's goal to have 60 percent of Idahoans between the ages of 25-34 obtain a postsecondary degree or credential by 2020. Their numbers are steadily increasing. In 1934, BSU had 25 graduates. In 2013, they had 3,757 graduates. BSU awards more than 40 percent of all public university Bachelor's degrees in Idaho.

BSU has been a good steward of taxpayer and tuition money. BSU receives the lowest per-student share of the State General Fund dollars, but produces the highest number of graduates each year. Tuition dollars make up a greater part of their operating budget than funds received from the State. BSU can be efficient, but they cannot stop innovating and providing students with the skills they need to succeed in the world. BSU is trying to increase administrative flexibility by removing multiple layers of oversight that currently exist. They would like the same flexibility that the University of Idaho enjoys which would even the playing field. BSU is behind in its student/faculty ratio. They would like to add 72 new full-time positions which would provide 432 additional course sections per year. These positions would increase capacity in high demand majors, remove bottlenecks to degree progression and graduation, reduce scheduling conflicts for students, increase offerings at night and on weekends, and increase online courses and degree programs.

BSU also needs approximately 12 more advisors to keep graduates moving smoothly through their programs. A first generation student (about 36 percent) who works with an advisor throughout their college years has a 13 percent higher rate of graduating. A college education is worth more today, and its value will continue to grow. The cost of not going to college has risen also. Those with only a high school diploma are faring worse today than their counterparts in earlier generations.

**Senator Nonini** asked about the "Finish in Four" program. **Dr. Kustra** replied that Finish in Four is offered to first year students and their families and guarantees that the student will finish in four years provided s/he sign a contract and agree to take a proscribed course of study in his/her choice of major. If the student meets that obligation and does not finish in four years due to a BSU course bottleneck, BSU will pay for the remainder of courses need to finish the degree. **Dr. Kustra** reported that while the program works, it works better for those students who have the resources to attend classes full time for four years. Many students are "stop-outs" who decrease their course load in order to work. **Senator Thayn** asked if the increase in graduation numbers is expected to continue. **Dr. Kustra** replied that applications to enroll have increased by 1,000 over one year ago, and so he expects graduation number to continue to rise as well. Recruitment efforts have increased, as well as workshops and science fairs to engage families with small children. **Senator Patrick** commented that many students who work while attending university graduate with no debt. **Dr. Kustra** said that BSU is in the process of creating more scholarships for their students. Internal discussions have

concluded that half scholarships are more useful than full scholarships in relating the "earning" with "learning" which helps to instill a work ethic in students.

**Chairman Goedde** commented on a letter from the Office of Performance Evaluations (OPE). He suggested that the Committee might ask OPE to look into PTE funding, both secondary and postsecondary.

**Chairman Goedde** invited Anna Pietz to the podium for her last day as a Senate Page. **Anna Pietz** said that she had learned a tremendous amount about how local government works. Previously she did not know how similar or different it was from the federal government, but with personal experience, government has become more important to her. She enjoyed being a key part and being of service.

**Ms. Pietz** said that she has applied to Boise State University, College of Western Idaho and College of Idaho and been accepted to all three. She has also applied to Whitman in Washington. She hopes to study government and psychology.

Chairman Goedde presented Ms. Pietz with letters of recommendation and a gift.

**Madison Burno** introduced herself as the Page for the second half of the legislative session. She has lived in Idaho for 8 years and has been homeschooled all her life. She enjoys writing and hopes to become an author. She plans to attend CWI in the fall. She lives in Meridian, and is originally from California.

**PRESENTATION:** **Tom Luna**, Superintendent of Public Instruction, State Department of Education (Department), outlined the efforts being undertaken to close the technology gap that exists between urban and rural school districts. In 2013, the Legislature approved \$2.25 million for the installation, repair, replacement and support of a wireless technology infrastructure in each public high school of sufficient capacity to support mobile devices by all students. Experts in industry and educational technology advised that this goal was best accomplished through a managed service contract. The Request for Proposals included 11 items: (1) a complete and fully managed wireless service; (2) content filtering; (3) event logging; (4) system implementation; (5) user reporting, maintenance and upgrades of technology as necessary; (6) deployment management; (7) help desk support; (8) deployment of the wireless infrastructure; (9) implementation of professional development at multiple levels; (10) project management; and (11) customer relations management.

A committee of experts in industry and education reviewed all bids and scored them in three equally weighted categories: (1) company overview; (2) technology and solution; and (3) cost. Each category contained multiple subcategories. After the initial scoring process, the committee invited the top three vendors to appear for interviews. The committee unanimously recommended Education Networks of America (ENA) for the statewide contract. In July 2013, the Department signed a five-year contract with the ability to extend twice at the end of five years. As with any statewide contract, this contract includes a non-appropriation clause, which means that if at any time the appropriation is not available, the contract can be terminated at no cost.

After the contract was signed, schools and districts responded overwhelmingly in favor of the statewide service. 175 sites opted-in for connection. Currently 125 sites have been installed, 112 sites are turned on and working, and the March 15 completion deadline will be met.

**Superintendent Luna** stated that the Federal Communications Commission (FCC) recently announced an additional \$2 billion in e-rate funds, which are used to provide internet access to schools and libraries, to expand the ways in which those dollars can be used, and to simplify the application renewal process. However, no details have yet been forthcoming. Currently, wireless connectivity is a Priority Two eligible service, and typically, not enough funding has been available. **Superintendent Luna** said he had been led to believe that some of the additional \$2 billion will be used to fund wireless managed services. Should the federal funds not become available, Idaho's contract with ENA does allow for the state to use e-rate funding to reduce the amount of the overall contract.

**Chairman Goedde** asked what savings might be realized from a statewide program versus districts purchasing wireless services themselves. **Superintendent Luna** has the information and will provide it. **Chairman Goedde** asked several questions concerning ENA's obligation to upgrade equipment under the contract. **Superintendent Luna** replied that new standards for connectivity went into effect in January 2014. ENA is required to upgrade equipment every five years to the most current technology. **Chairman Goedde** asked what changes would need to be made if e-rate funding can be used for wireless devices. **Superintendent Luna** replied that the FCC has not yet identified the process, however the contract is clear that when e-rate is an option, Idaho's costs will be reduced. **Chairman Goedde** asked about expansion to elementary and middle schools, and whether or not current capacities are sufficient for student assessments. **Superintendent Luna** replied that without an appropriation from the legislature, wireless expansion will not proceed to elementary and middle schools. Those schools have the access necessary for student assessments, but not on wireless devices.

**PASSED THE  
GAVEL:**

Chairman Goedde passed the gavel to Vice Chairman Mortimer.

**DOCKET NO.  
08-0203-1306**

**Chairman Goedde** reminded the Committee that **Docket No. 08-0203-1306**, among things, revised the minutes required for physical education (PE) in elementary and middle schools, and provided an option for PE credit for club sports activity.

**PASSED THE  
GAVEL:**

Due to scheduled meeting, Vice Chairman Mortimer passed the gavel back to Chairman Goedde.

**Senators Thayn, Ward-Engelking, Nonini and Rohm(Buckner-Webb)** raised concerns over liability if students were allowed to participate in outside sports while being credited through a teacher of record. **Superintendent Luna** replied that the same liability exists when students work off campus on projects. Districts have the option to require a release of liability form. When students take courses through IDLA, a teacher of record from the school verifies their participation. **Superintendent Luna** explained that districts are not required to offer or participate in sports programs sanctioned by the Idaho High School Activities Association (IHSAA), and that districts have the option to allow credit for outside sports now if parents request it, but many choose not to do so. This bill empowers parents with the right to request a PE credit, and to obligate the district to grant the parental request. He argued that the Governor's Task Force recommendations included a movement to "mastery" rather than "seat-time" and said that "this is just the beginning of the conversation."

**Chairman Goedde** clarified that the House of Representatives Education Committee ("House") had approved the rule, but rejected Section 104.02(c) concerning minutes of physical activity in elementary and middle school.

**MOTION:** **Senator Ward-Engelking** made a motion to approve **Docket No. 08-0203-1306** with the exception of Section 105.01(i). **Senator Pearce** seconded the motion. **Senator Thayne** suggested that the Committee discuss the minutes portion in Section 104.02(c), since the House had rejected it. **Senator Patrick** stated that he supports Section 105.01(i) as a means of encouraging physical activity. **Senator Thayne** requested input from the stakeholders present regarding the minutes required in elementary and middle school. **Rob Winslow**, Executive Director, Idaho Association of School Administrators, stated that staffing had been a concern. Several districts have PE specialists that work with them, and that adding additional time requirements could be an issue. **Robin Nettinga**, President, Idaho Education Association, added that several districts had voiced concern that "at a time when we are trying to catch up, it is not a time to add more to our plates.

**SUBSTITUTE MOTION:** **Senator Thayne** made a substitute motion, mirroring the House motion, to approve **Docket No. 08-0203-1306**, but reject Section 104.02(c) concerning minutes of physical activity in elementary and middle school. The substitute motion died for lack of a second.

**Senator Pearce** suggested a conversation with the House so that each side had better clarity, and suggested further that the Committee hold this rule for another day. **Senator Pearce** withdrew his second of the Senator Ward-Engelking's Motion, and **Senator Ward-Engelking** withdrew her motion.

**MOTION:** **Senator Pearce** made a motion to hold **Docket No. 08-0203-1306** until Tuesday, February 18, 2014. **Senator Nonini** seconded the motion. **Senator Patrick** restated his belief that more physical activity is good for students. **Senator Nonini**, agreed to the importance of PE, but felt it was important to have an understanding of the House's reasoning. The motion carried by **voice vote**. **Chairman Goedde** stated that since the Committee had discussed this rule on more than two occasions, the next discussion would be the last.

**ADJOURNED:** Having no further business before the Committee, **Chairman Goedde** adjourned the meeting at 4:53 p.m.

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Senator Goedde  
Chair

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Elaine Leedy  
Secretary