

MINUTES  
**SENATE EDUCATION COMMITTEE**

**DATE:** Wednesday, February 26, 2014

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

**PLACE:** Room WW55

**MEMBERS PRESENT:** Chairman Goedde, Vice Chairman Mortimer, Senators Pearce, Fulcher, Nonini, Thayn, Patrick, Buckner-Webb 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 Education Committee (Committee) to order at 3:10 p.m., and a silent roll was taken.

**GUBERNATORIAL APPOINTMENT HEARING:** Richard D. Westerberg of Preston, ID was appointed to the State Board of Education to serve a term commencing on March 1, 2014 and expiring March 1, 2019, subject to confirmation by the Senate. Mr. Westerberg appeared before the Committee.

**Mr. Westerberg** stated that he has served on the State Board of Education (Board) for the past eight years. His background includes 12 years on local school boards, six years as county commissioner and a career in the electric utility industry. He is presently retired, but serves as an interim hospital administrator. He has enjoyed his service on the Board, especially in the past few years where he has seen significant improvements and several important initiatives going forward.

**Senator Thayn** asked Mr. Westerberg to describe some of the important initiatives to which he referred. **Mr. Westerberg** said that he was referring to the 20 recommendations of the Governor's Task Force for Improving Education (Task Force) on which he served as Chairman. He feels that the biggest problem in education lies in motivating students to go on to postsecondary education. Despite all of the information and statistics available that point to the lifetime earnings benefit of a postsecondary education, many students still do not see postsecondary education as a logical decision. The challenge, then, is to encourage students to demonstrate for themselves that they have the ability for college level work through dual credit and advanced placement courses.

**Senator Ward-Engelking** and **Chairman Goedde**, who both served on the Task Force, stated their appreciation for the leadership that Mr. Westerberg had provided. **Chairman Goedde** added that the consensus derived from 31 people of varying backgrounds was amazing.

**Senator Patrick** agreed that the go on rate is significant, but he expressed his concern that raising standards might cause more high school students to drop out. **Mr. Westerberg** replied that studies have shown that people perform to the level of expectation around them. If they perform better, then they will be encouraged to go on which is why college entrance exams are taken in the junior year. Mr. Westerberg feels that raising the bar is important to ensuring that students are ready. **Senator Patrick** agreed that competency will increase student confidence. **Senator Patrick** said that he had served on a subcommittee that studied tiered licensure and asked if data from that subcommittee would inform Mr. Westerberg's approach to tiered licensure for teachers. **Mr. Westerberg** replied affirmatively. **Chairman Goedde** inquired if the Task Force would incorporate approaches from other states as well. **Mr. Westerberg** replied that all information is being considered. The Task Force recommendations are primarily theoretical. The focus going forward will concern the details and application of those recommendations.

**Chairman Goedde** thanked Mr. Westerberg for his appearance and informed him that the Committee will vote on his appointment at a subsequent meeting.

**PRESENTATION:**

**Michelle Exstrom**, Idaho liaison to the National Conference of State Legislators (NCSL) stated that the NCSL was founded in 1975 as a bipartisan organization that provides research, technical assistance and opportunities for states to exchange ideas. Ms. Exstrom reviewed the 45 states which have adopted the Common Core State Standards (CCSS), or incorporated them into their own state standards, and reviewed the number of legislative bills in those states that address CCSS. Ms. Exstrom also suggested that an examination of current teacher policies is key to successful implementation of CCSS. Teacher preparation, support and evaluation are critical elements. Teacher evaluations based on the new standards require proper timing.

No Child Left Behind required that student progress be measured against standards, and that assessments must be aligned to those standards. Thus, with the development of CCSS, new assessment development is underway. In 2010, the U.S. Department of Education announced a new Race to the Top competition and grants aimed at consortia of 15 or more states to help develop the new assessments. Two consortia received grants under this program, the Partnership for Assessment of Readiness for College and Careers (PARCC) and the Smarter Balanced Assessment Consortium (SBAC), to which Idaho belongs. The new assessments differ from previous systems by focusing on a balanced system, changing the structure of assessments, and integrating more technology and computer use. The new assessments move away from bubble tests to more performance based tasks, open ended questions, and real world problem solving. Considerations for states to address include costs of the new assessments, time spent on testing, proper professional development and resources, technology needs and capabilities, and data security and privacy. Ms. Exstrom's complete presentation is attached.

**Senator Thayne** asked Ms. Exstrom to explain her statement that states were implementing the new assessments differently. **Ms. Exstrom** replied that available technology can differ from state to state and school to school. Implementation will generally be the same, and both PARCC and SBAC have optional parts to their assessment packages, so that the cost of the assessments is decided by each school district. **Chairman Goedde** asked about the State's ability to review the bank of test questions and remove some if it so chooses. **Ms. Exstrom** replied that the question should be answered by SBAC. Each state can augment up to 15 percent of the test to fit individual state's customized standards. **Vice Chairman Mortimer** said that a parent committee has been exploring that question and has been assured that 15 to 20 percent of questions could be removed and still have a good model. He asked Ms. Exstrom to research and verify that information.

**Senator Nonini** asked if it might be better to delay the assessments until other states have experience with them. **Ms. Exstrom** answered that many questions remain unanswered about technology requirements, customizing the test, etc., and the deadline for implementation is looming. She cannot advise on delaying the test because teachers would not have assessments, and states could lose federal funding. The Elementary and Secondary Education Act (ESEA) waiver is predicated on adoption of new assessments. Slowing down implementation is not a viable policy option. **Senator Nonini** expressed concern about the level of federal involvement. **Ms. Exstrom** replied that the federal government played no role in creating the CCSS, but it has created incentives to move forward with standards and assessments. States are not required to apply for the ESEA waiver, but many felt that they needed to in order to remain in compliance with federal reporting. Several state departments of education have adopted new standards and assessments, but some of their legislatures are not comfortable which puts their relationship in flux. **Chairman Goedde** stated his understanding that the federal government requires that states have assessments which match the standards. Idaho adopted CCSS and the Idaho Scholastic Achievement Test (ISAT) is no longer in alignment. If Idaho were to pause on SBAC, it would have to develop a replacement assessment at a cost of approximately \$25 million. **Ms. Exstrom** concurred, adding that states were not happy with the old assessments so then moved to a consortia for the economy of scale. Utah opted out early enough to develop a test, but if states back out now they will need to hurry or face potential penalties. **Chairman Goedde** asked if Idaho already has reliable questions that have been satisfied by SBAC. **Ms. Exstrom** replied that the SBAC will be given in 2014-15 with the assurance that it has been fully vetted. She believes it will achieve "a comfort level that is the best you have ever seen."

**Senator Fulcher** asked if using the ISAT or ACT still had merit in assessing improved achievement under the new curriculum. **Ms. Exstrom** replied that the ACT and ISAT are a one-time snapshot, not successive pieces that all fit together. SBAC should be a good indicator because it is given in grades 3 through 8, and again in grade 11. **Chairman Goedde** added that all 4 Idaho 4-year colleges and universities have stated that any 11th grade student who passes the SBAC will receive exemption from remediation in their first year of college.

**Senator Pearce** asked if Ms. Exstrom knew what states were paying to develop new assessments if they had opted out of SBAC or PARCC. **Ms. Exstrom** said that she did not know but would research that information. **Senator Pearce** inquired about Texas who returned to their 1995 standards. Ms. Exstrom replied that Texas was the first to use standards based education. They felt their standards were already good, but that they were testing too much, so they have scaled back on assessments. Texas now has a statewide assessment, a summative assessment, options for interim assessments, and they encourage formative assessments.

**GUB APPT:**

**Senator Nonini** made a motion to send the appointment of Donald J. Soltman of Rathdrum ID to the State Board of Education to to the floor with a recommendation that he be confirmed by the Senate. **Vice Chairman Mortimer** seconded the motion. The motion carried by **voice vote**. Senator Nonini will carry the appointment on the floor.

**H 501**

**Karen Echeverria**, Executive Director, Idaho School Boards Association (ISBA) explained that this legislation results from a resolution that ISBA has worked on for four years regarding the grievance process. After meeting with the Idaho Education Association (IEA) and exchanging several drafts, agreement was reached on the specific language of **H 501**. The bill makes changes to § 33-517, Idaho Code which outlines the procedures for non-certificated staff grievances. The first significant change is the removal of the term "unfair treatment" from the statute. This term is very subjective and overly broad, and its removal is the main thrust of this legislation.

**H 501** provides definitions and direction on the appropriate subject matters for grievances. The list of grievable offenses cover a range of valid issues while also being open enough to encompass a variety of possible concerns that could arise. Classified employees are provided with a procedure at an earlier stage in the grievance process in order to informally and more quickly resolve issues and concerns between individuals. It also lengthens deadline dates to provide additional time, including a weekend, for the grievant to ponder next steps and prepare appropriate documentation. The legislation outlines the next steps if the grievance cannot be resolved informally, and provides equity in due process of the grievance appeal procedure by clarifying that "interested" individuals shall not participate in the appeal panel process.

**TESTIMONY:**

**Robin Nettinga**, Executive Director, IEA, thanked the ISBA for working together with the IEA on this legislation. **Ms. Nettinga** stated that **H 501** is a compromise, but the IEA agreed to try it, and if it appears too narrow in the future, the parties have committed to work together for a solution.

**MOTION:**

**Senator Ward-Engelking** made a motion to send **H 501** to the floor with a **do pass** recommendation. **Vice Chairman Mortimer** seconded the motion. The motion carried by **voice vote**. Senator Ward-Engelking will carry the bill on the floor.

**UNANIMOUS  
CONSENT  
REQUEST  
RS 23003**

**Chairman Goedde** explained that **RS 23003** removes language relating to online courses and authorizes the board of trustees of each school district to adopt their own curricular materials consistent with Idaho content standards.

**Senator Patrick** requested unanimous consent to send **RS 23003** to the Senate State Affairs for printing. There were no objections.

**ADJOURNED:** Having no further business before the Committee, **Chairman Goedde** adjourned the meeting at 4:32 p.m.

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Senator Goedde  
Chair

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Elaine Leedy  
Secretary