

House Education Committee

Minutes
2010



MINUTES
JOINT MEETING

**HOUSE EDUCATION COMMITTEE
SENATE EDUCATION COMMITTEE**

DATE: January 13, 2010

TIME: 8:30 P.M.

PLACE: West Wing 02 House/Senate Auditorium

MEMBERS: Co-Chairman Nonini, Vice Chairman Shirley, Representatives Trail, Block, Nielsen, Wills, Chadderdon, Shepherd (8), Marriott, Thayn, Gibbs, Hartgen, Thompson, Boe, Pence, Chavez, Durst, Chew

Co-Chairman Goedde, Vice Chairman Mortimer, Senators Schroeder, Andreason, Pearce, Fulcher, Winder, Malepeai, Kelly

**ABSENT/
EXCUSED:** Senator Mortimer, Senator Andreason and Senator Fulcher

GUESTS: Erik Makrush, NCA; Colby Cameron, Sullivan & Reberger; Roger Brown, Governor's Office; Jeff Church, Veritas Advisors; Tracie Bent, Office of the State Board of Education (OSBE); Selena Grace, OSBE; Mark Browning, OSBE; Robin Nettinga, ID Education Association (IEA); Phil Homer, ID Assoc. of School Administrators; Harold Ott, ID Rural Schools Assoc.; Sherri Wood, IEA; Bert Marley, IEA; Wayne Davis, ID Assoc. of School Administrators; Karen Echeverria, ID School Boards Assoc.; Jerry Helgeson, Academic Decathlon; Suzanne Budge, SBS Associates; Martin Bilbao, Connolly Smyser

Co-Chairman Nonini called the meeting to order at 8:30 A.M. and a silent roll was taken. He introduced Rep. Neil Anderson who is filling in for Rep. Marriott. He explained to the joint Committee that today's meeting was informational only and no public testimony would be taken. **Co-Chairman Goedde** announced that the joint meeting was being audio streamed on Idaho Public Television. He explained that the "Race to the Top" is a federal grant totaling \$ 4.3 billion dollars.

Tom Luna, Idaho State Superintendent of Schools addressed the joint committee. He explained that the "Race to the Top" (RT3) grant is an opportunity for additional funding for the state. He further explained that the grant is due by next Tuesday, January 19th, to the U.S. Department of Education, so the application has to be wrapped up by this Friday, January 15th. RT3 is part of the federal stimulus package passed by Congress a year ago. \$100 billion was set aside for education and \$4.35 billion dollars will be used for competitive grants to encourage and reward states for achieving significant improvement in student outcomes, closing achievement gaps, improving high school graduation rates, and ensuring that students are prepared for success in college and careers. Mr. Luna explained that the RT3 grant is very competitive and only about 10 to 15 states will receive it.

Mr. Luna outlined the vision of Idaho and RT3. The vision is to establish an

innovative and flexible education system that focuses on results, inspires all students and prepares them to be successful in meeting today's challenges and tomorrow's opportunities. He explained that if Idaho does not receive the grant, the Department will continue their innovative approach but it will take longer to accomplish the desired outcomes.

Mr. Luna explained that he feels that the RT3 grant is the only way the Department will get more money into public education over the next two to four years due to the current economic climate. He further explained that Idaho is nationally recognized for raising school improvement records. Last year 66% of Idaho schools made AYP which is up from 25% two years ago. Idaho has led the nation in the increased percentage of schools making AYP for two years in a row.

Mr. Luna stated that he feels that Idaho has a 50/50 chance to get this grant and it may be difficult to demonstrate a need in Idaho compared to other states with inner city schools.

He also explained that he has been meeting weekly with educational stakeholders since initial guidance for the RT3 grant was issued in August of 2009. Stakeholders include the Idaho Education Association, the Idaho Association of School Administrators, the Idaho School Boards Association, the Office of the State Board of Education and the Office of the Governor. He further explained that the final guidance for the grant was released on November 12th and informational meetings were held throughout the state in December. He explained that they have heard input and have taken suggestions. He stated that school districts have until noon today to choose whether or not to participate in the grant and as of this morning, 63 districts have signed Memorandums of Understanding. He explained that the MOU has to be signed by the Superintendent of the district, the local education association president and the local chairman of the school board.

Mr. Luna explained that the RT3 selection criteria includes state success factors, standards and assessments, data systems to support instruction, great teachers and leaders, turning around lowest achieving schools, general selection criteria and STEM (Science, technology, engineering and mathematics) Idaho's application priorities include improved standards and assessments, more robust data systems at the state, local and classroom levels, focused, in-depth professional development for teachers and principals, incentives for teachers and principals, enhanced school improvement efforts, college and career readiness starting in middle grades and dual credit opportunities. He further explained that the grant is based on what the Department has done and what they want to accomplish.

Mr. Luna also explained that Idaho has joined 47 other states to work on the adoption of internationally benchmarked common core standards in English and mathematics. He further explained that the Department will provide professional development for teachers for these standards through the grant.

Mr. Luna explained that under the data systems to support instruction, the Department proposes to create a "Digital Backpack" to provide critical data to classroom teachers.

He further explained that the most important factor for student achievement is the teacher. The Department wants to expand virtual professional development opportunities for educators, offer advanced training in data-driven decision making for teachers and principals and develop statewide evaluation framework for principals.

He also explained that the Department will have a pilot program for incentive pay for teachers under this grant. He stated that when these funds go away, there is no expectation for the state to make up this funding. He further stated that when the Department is done with this pilot program, they will know if incentive pay works. There are two components of the incentive pay pilot program. These include incentives based on student achievement and student growth blended at the state and local levels and incentives based on teachers taking on hard to fill positions and leadership duties. It is also based on school wide performance on the ISAT. There is also a local component of the incentive pay pilot. An average teacher can earn a \$1,500 bonus. Classified staff would participate at one quarter the rate of certified staff. He explained that it is a blended model and there has to be success on statewide and local criteria.

Mr. Luna explained that districts can designate up to 33% of certified positions as hard to fill. Leadership duties are determined at the district level. Examples of leadership include teacher mentoring, content specialist and curriculum development. In the incentive pay pilot, educators and school boards will jointly develop their local plan.

Turning around lower achieving schools, worth 50 points, is another part of the grant. Schools in greater need will receive a greater level of support. Supports could include school board training, funding for curricular materials and science labs.

Also included in the grant is general selection criteria which includes ensuring successful conditions for high performing charter schools and other innovative schools.

Science, technology, engineering math must be addressed throughout the grant application. Idaho's grant will include engineering camps for girls and minority students, upgraded science and engineering labs for high-need schools and districts and on-site college visits for middle school students with an emphasis on science, technology, engineering and mathematics.

Mr. Luna discussed how school districts can participate in the grant. He explained that MOUs are due today and the Department wants all to participate, but each district must decide if it wants to sign up.

Mr. Luna explained that the issue of sustainability has been discussed with the stakeholders. He further explained that grant monies would be used for one time expenditures. He also explained that the concern has been expressed regarding if the Department would have to lift the current cap on charter schools to apply for this grant. He stated that the state would not

have to lift the cap. He explained that the cap on charter schools in Idaho limits the number per year, but not the number overall.

Mr. Luna explained that the Department has received letters of support from various stakeholders and they have requested a letter of support from the chairs of the House and Senate Education committees. He stated that the Department currently has 65 school districts that have signed on to the grant and currently have letters of support from the Governor, the Idaho School Board Association, the Idaho Education Association and many others.

Co-chairman Goedde commented that at no point in the grant process have legislators been involved, but statutory changes may have to be made. Supt. Luna responded that this grant would not require any action from the Legislature. He explained that the Department would have to get spending authority if they received the grant.

In response to a question regarding districts participating in the grant, Mr. Luna explained that there will be some things at the statewide level, but most will only be for districts who agreed to participate.

Mr. Luna explained that school districts who have signed a MOU will have the opportunity to withdraw after 90 days. He further explained that if Idaho receives the grant, districts have 90 days to put together specific plans how to implement the grant.

Mr. Luna explained that around 40% of the student population would be participating if the state receives the grant. In response to a question regarding why the larger school districts have chosen not to participate, Mr. Luna explained that it is not wise to have a plan to require all school districts to participate. He further explained that the districts that have chosen to support the grant is a diverse group. He stated that he does not believe that there is a flaw with the grant.

Rep. Chavez commended Supt. Luna for his plan for the future of Idaho, but expressed her concern that when grant is gone, so is the funding. She felt that districts would be in desperate straights when funding ends and this would be an unfunded mandate pushed out to the districts. Mr. Luna responded that he understood her concern, but said he has made it clear throughout the grant process, that when the grant goes away, the expectation goes away.

He stated that he felt that the grant is best for the districts in the short and long term and the Department has given districts the choice whether or not to participate.

Rep. Chavez also expressed her concern regarding the incentive pay for teacher performance part of the grant. Mr. Luna responded that the Department will provide professional development with this grant, when the grant is done; the Department can identify things that worked well. Rep. Chavez commented that she cannot support this because it sets up districts, teachers and students up for disappointment. Mr. Luna responded that the

Department has been working on teacher performance the last 18 months and is moving in this direction with or without these dollars. He further stated that with this grant the Department can pilot ideas to see what works and what does not work.

Sen. Schroeder commented that Legislatures are required to pass laws for this funding and he feels that the federal government tells states how to do things. Mr. Luna responded that he understood the role of Legislature and State Board and there has been no attempt to circumvent the Legislature in this process. He further responded that the first thing they did was to look at what would require legislative action. It was felt that Idaho does not have to take action on any of the current laws. He explained that he understands the concern at the national level. He stated that there is nothing in the grant that the Department will not pursue, with or without this extra money. **Sen. Schroeder** cited the concern outlined in a letter from the Idaho Education Association regarding the early childhood education component. **Mary Beth Flashbart** from the State Department of Education responded that early childhood is included in the grant and districts can revisit their early childhood procedures. She explained that 17 districts currently use Title 1 money for parent outreach, and the Department uses a family approach to early childhood education. Mr. Luna explained that the Department has always supported kindergarten readiness done through the family and this grant could expand these opportunities.

In response to a question from **Sen. Pearce** regarding ACT test scores, Mr. Luna explained that the Department has seen an improvement in ACT scores and has seen an improvement in relation to other states and in the scores of the past. He explained that he would provide specific details for committee members.

Mr. Luna explained that the Department has up to four years to use the grant monies from the RT3 grant. **Sen. Pearce** questioned the need for more federal involvement in public education. Mr. Luna responded that it is a fair concern and when the Department decided to go forward with this grant, they did not see anything in the grant that the Department is not already pursuing. He explained that the Department goes through audits and there has to be a certain level of accountability. If the federal government is involved, the Department has to be accountable. Mr. Luna further commented that the amount of money in the grant, \$75 to \$100 million dollars, is a small amount compared to the other federal money already received by schools. He also commented that he does not think that the federal government is intrusive in public education.

In response to a question regarding if the Department could apply for part of the of the federal dollars, Mr. Luna explained that it is all or nothing.

Rep. Thayn commented that he appreciates that the Department encouraging early childhood education be done by the family.

Mr. Luna explained that the RT3 grant requires that 50% of the funds be spent at the local level. He further explained that the biggest component of the grant is pay for performance and all of that money would go to the districts.

Rep. Nielsen expressed his concern that when there is no more money from the grant it will be a let down for the schools and asked if the Department was giving up any funds for concurrent enrollment by applying for this grant. Mr. Luna responded that there is money for concurrent enrollment and with this grant the Department will be able to offer to more schools the opportunity for concurrent enrollment sooner. He further explained that the Department is not giving up anything by pursuing these federal dollars.

Mr. Luna stated that he would provide the complete list of school districts who have decided to participate in the grant after today's noon deadline.

In response to a question regarding what concerns were raised at the community meetings, Mr. Luna explained that sustainability was brought up and well as concerns regarding the tight time line and the pay for performance piece. He further explained that there is a blended model for pay for performance and multiple indicators were used and has to be agreed upon at local level.

In response to a question regarding why the largest school districts in the state have chosen not to participate, Mr. Luna explained that districts had to weigh individual concerns. He further explained that the Department is not compelling every district to participate, but would be pleased if everyone did participate.

In response to a question regarding participation by other states, Mr. Luna explained that the highest number of school districts participating in other states he has seen was 40% and it will be impressive that Idaho has 50% of districts participating.

Co-Chairman Goedde explained that the RT3 grant will be considered twice this year and the Department will have opportunity to review and resubmit. He further explained that he understands that states would be marked down if they have caps on charter schools. He commented that in Idaho, there are thousands of students who are on waiting lists for charter schools. Mr. Luna explained that the federal definition regarding charter schools was released on Nov. 12th, and Idaho's charter school definition is different. He further explained that there is no compelling reason to revisit the issue of raising the cap on the number of charter schools and in order to be competitive with this grant, the state will not have to change cap on charter schools.

In response to a question regard the pay for performance component in the grant, Mr. Luna explained that this would not require any state funding. He further explained that the Department has been working on pay for performance for the last 18 months and wanted to ask the state for more funding, but economic times prevented this. He stated that this would be a pilot program.

In response to a question regarding if the Attorney General's office had reviewed the grant application, Mr. Luna explained that it had.

In response to a question regarding if the Department had looked at other models for the pay for performance component, Mr. Luna explained that under this plan it does provide flexibility, but there are sideboards. The pay for performance component looks at the whole school and not individual teachers and classrooms.

Co-Chairman Goedde commented that he felt it was obvious that the U.S. Department of Education does not understand policy of state Legislatures. He further commented that if he and Chairman Nonini decide to sign a letter of support for this grant, it does not represent all of the members of the Legislature.

Co-Chairman Nonini expressed appreciation to both Committees and thanked Supt. Luna and his staff for the informative presentation.

ADJOURN:

As there was no further business to come before the joint committee, **Co-Chairman Nonini** adjourned the meeting at 10:30 A.M.

Representative Bob Nonini
Co-Chairman

Claudia Howell
Secretary

Senator John Goedde
Co-Chairman

MINUTES

HOUSE EDUCATION COMMITTEE

DATE: January 14, 2010

TIME: 9 A.M.

PLACE: Room EW41

MEMBERS: Chairman Nonini, Vice Chairman Shirley, Representatives Trail, Block, Nielsen, Wills, Chadderdon, Shepherd (8), Marriott, Thayn, Gibbs, Hartgen, Thompson, Boe, Pence, Chavez, Durst, Chew

**ABSENT/
EXCUSED:** Rep. Trail

GUESTS: Karen Echeverria, ID School Boards Assoc.; Robin Nettinga, ID Education Assoc.; Mark Browning, State Board of Ed.; Harold Ott, ID Rural Schools Assoc.; Wayne Davis ID Assoc. of School Administrators; Dennis Stevenson, Department of Administration

Chairman Nonini called the meeting to order at 9 A.M. and a silent roll was taken. He welcomed committee members and guests present. He announced that Rep. Marriott's wife passed away yesterday afternoon and expressed his sympathy for his family during this difficult time. He also introduced the page for the committee, Danni Olsen, who is Rep. Chadderdon's granddaughter and a senior at Couer d'Alene high school.

Chairman Nonini announced that Vice-Chairman Shirley is in charge of the rules. Vice Chairman Shirley explained that the subcommittees are small and members who are chairmen or vice chairmen of other committees will be exempt from serving on the subcommittees. There will be two subcommittees consisting of three members from majority party and two from the minority party. He explained that other committee members who are not assigned are welcome to sit in on the subcommittee meetings if desired. He announced that the full committee will not meet until Thursday, January 21st to give time for the subcommittees to meet. He requested that if possible, the subcommittees report to the full committee on that day. The subcommittees will be chaired by Rep. Thayn, serving with him include Representatives Chadderdon, Shepherd, Boe and Durst. Rep. Gibbs will chair the second subcommittee and serving will be Representatives Hartgen, Thompson, Pence, and Chavez. Vice Chairman Shirley explained that one or two rules may have some controversy and may require extra time.

Dennis Stevenson, rules coordinator from the Department of Administration was invited to explain the rule process to the Committee. He stated that Idaho is one of a few states that participate in the rule process in the Legislature. He further stated that the Legislature can reject or approve a rule, but not amend. Rejections are done by concurrent resolution, and has to be approved by both bodies. Pending rules and fee rules have to be approved by concurrent resolution and temporary rules will die at the end of the session unless approved by concurrent resolution.

He explained that Committees can reject a part of the rule. He explained that rules tend to be well crafted knowing that they have to come before the Legislature for review.

In response to a question regarding how quickly temporary rules can be put in place by agencies when a pending rule is rejected, **Mr. Stevenson** explained that it would not be easy to do and the criteria is specific. He further explained that it is not something that happens often.

Chairman Nonini briefly discussed yesterday's joint meeting regarding the Race to the Top federal grant. He explained that he will keep the committee informed as to what the chairs decide to do regarding signing a letter of support for the grant. He explained that he and the Senate Education chairman, **Senator John Goedde** are in agreement that either they will both sign the letter or they both will not sign. He further explained that the application will go forward with or without the letter of support.

Luci Willits, from the State Department of Education, clarified that the draft of the letter only has the signature as a legislator and is not representative of the whole committee, but the signature says Chairman of the House Education Committee.

Rep. Hartgen commented that substantive issues were raised yesterday and felt that the state would have more ties to the federal government through this grant process. Vice Chairman Shirley commented that the Idaho congressional delegation has signed letters of support along with a lot of other groups and is comfortable with letting the two chairmen decide without having a vote in the committee.

In response to a question regarding the complete number of school districts participating in the grant after yesterday's deadline, **Ms. Willits** stated that there are between 58 and 59 school districts and about 20 charter schools that has signed on. She further stated that she will provide the complete list to Committee members.

Robin Nettinga, from the Idaho Education Association, explained that the IEA wrote a letter of support for the grant. She commented that there was a great collaborative effort and the stakeholders have worked with the State Department of Education for past 18 months on this grant. She further commented that the IEA believes there are great pieces in the grant, but there are some concerns. These concerns include the sustainability issue and capacity building.

Karen Echeverria, from the Idaho School Board Association, explained that their letter of support also talked about collaborative effort and the Association liked the fact that school districts could choose whether or not to participate.

Wayne Davis, from the Idaho Association of School Administrators, explained that the Association's letter of support was for the process, but not necessarily to support the grant. He reported that the collaboration has been great. He explained that the Association has a neutral position.

In response to a question regarding the availability of discretionary money

for districts, **Ms. Willits** explained that the grant money would be targeted toward specific programs. She also explained that if Idaho gets the grant and a district decides to opt out, then the other districts would benefit.

Mark Browning, from the State Board of Education explained that the letter of support is from the chairman of the State Board and the Board will be meeting tomorrow to decide if the support will be from all of the members of the State Board.

Various Committee members voiced their opinion regarding the grant and the letter of support requested of the Chairman. Chairman Nonini commented that he would feel uncomfortable signing a letter of support if the Committee members did not support the grant. **Ms. Willits** suggested that just those members who are in support of the grant should sign the letter. She explained that the regulations for the grant application did not call for legislative support, but the letters of support would be helpful.

MOTION: Rep. Durst made a Motion to have a vote on whether or not Committee members are in favor of the Chairman signing a letter of support for the grant.

MOTION WITHDRAWN: After Committee discussion which included the question of the legality of having a motion on an issue that was not put on the agenda, Rep. Durst withdrew his motion.

ADJOURN: As there was no further business to come before the Committee, Chairman Nonini adjourned the meeting at 10:25 A.M.

Representative Bob Nonini
Chairman

Claudia Howell
Secretary

MINUTES

HOUSE EDUCATION COMMITTEE GIBBS SUBCOMMITTEE

DATE: January 18, 2010

TIME: 9:05 A.M.

PLACE: Room EW05

MEMBERS: Chairman Gibbs, Representatives Hartgen, Thompson, Pence and Chavez

**ABSENT/
EXCUSED:** None

GUESTS: Drew Thomas, RISCH PICA; Steven Meade, ID School Board; Christina Linder, State Department of Education; Patricia Stewart, State Department of Education; Rhonda DeMers, State Department of Education; Peggy Wenner, State Department of Education; Joan MacMillan, State Department of Education; Rob Sauer, State Department of Education; Jeffrey Dolifka, Intern; Erik Makrush, School Board; Cheryl Charlton, Idaho Digital Learning Academy; D. Hutchison, Idaho Digital Learning Academy; Roger Brown, Governor's Office; Wayne Davis, IASA; Dustin Hurst, Idaho Reporter; Bert Marley, Idaho Education Association; Ed Hawley, Department of Administration; Luci Willits, State Department of Education

**Docket #:
08-0202-0901** **Luci Willits** presented rule relating to Teacher Performance Evaluation to the subcommittee. She explained according to surveys and testimony given to the Idaho Legislature, Idaho has a lack of consistency, reliability and validity in measuring teacher performances. Both the standards and procedures by which teachers are being evaluated have been found to lack consistency from one district to the next and often within a district from one school to another.

Part of the recommendations made by the Teacher Evaluation Task Force included making changes to Idaho Administrative code, **IDAPA 08.02.02 - Section 120**, Local District Evaluation Policy. The changes establish state wide minimum standards for a fair, thorough, consistent and efficient system for the evaluation teacher performance in Idaho based on Dr. Charlotte Danielson's "Framework For Teaching." The framework groups teacher's responsibilities into four major areas, which are clearly defined, and then further divided into components that highlight the practice of effective teaching.

Motion: **Representative Hartgen** made a motion to recommend approval of **Docket # 08-0202-0901** to the full committee.
Motion carried on a voice vote. Representatives Chavez and Pence voted nay.

Docket #
08-0202-0902

Luci Willits, presented this rule, relating to the Highly Qualified Teacher mandate to the subcommittee. She explained in order to assist teachers in meeting highly qualified teacher status this immediate rule change is necessary. The traditional direction of endorsement for in-service professionals seeking other endorsement areas is not sufficiently meeting the demands of school districts, particularly those in rural areas. She further explained these changes would allow for additional options to attain an endorsement. The four options include traditional coursework through a college or university, National Board certification, content specific graduate degree, and standardized content testing with a mentoring component and/or pedagogical assessment. These additional routes expedite the attainment of endorsements for teachers who are needed to teach in areas outside of their current endorsement. All of these additional options for enforcement bring Idaho rule into further alignment with No Child Left Behind and the Highly Qualified Teacher mandate.

Motion:

Representative Thompson made a motion to recommend approval of **Docket # 08-0202-0902** to the full committee.
Motion carried on a voice vote.

Docket #:
08-0202-0904

Luci Willits, presented the online teacher endorsements rule to the subcommittee. This standard will be the framework for creating a new endorsement to be added to teaching certificates. The endorsement will not be mandated immediately by the state in order to teach online, but many of our virtual schools are interested in making it a requirement for all of their teachers.

Motion:

Representative Thompson made a motion to recommend approval of **Docket # 08-0202-0904** to the full committee.
Motion carried on a voice vote.

Docket #:
08-0203-0902

Luci Willits, presented the rule relating to Curricular Revisions to the subcommittee. The Idaho Content Standards for Social Studies, Physical Education, Health, Chemistry (as part of the Science standard), and Humanities are due for revision as part of the six year curricular materials adoption cycle. Idaho Curricular Materials Adoption Process provides review and evaluation of new curricular materials for these content areas in 2010 and requires the most up to date standards for textbook submission by vendors. Idaho Content Standards were also reviewed and revised in order to meet the needs of increased high school graduation requirements for the Class of 2013.

The standards for Chemistry and Humanities were introduced as temporary rules in the last rulemaking year, because they needed to be used prior to the end of the 2009 legislative session as schools began to review their district curricular needs.

Motion:

Representative Chavez made a motion to recommend approval of **Docket #08-0203-0902** to the full committee.
Motion carried on a voice vote.

Docket #:

Luci Willits, presented rule regarding the Middle School Task Force to the

08-0203-0903

subcommittee. The Middle Level Task Force was created in May 2007 to examine middle school issues as recommended by the High School Redesign efforts. (Two goals of the task force were to ensure all students are prepared to be successful in high school and to increase academic engagement and student accountability for middle school students through a relevant and rigorous curriculum. Desired outcomes included ensuring all students are prepared to be successful in high school and beyond and to improve student preparation for high school and post-secondary education. To achieve these goals and work toward the desired outcomes, the Middle Level Task Force determined that students need to be introduced to the language and concept of a credit system before entering high school. The task force recognizes the need for flexibility for individual districts and schools to have credit requirements that can be fitted to their unique needs and structures and has kept this need at the forefront of their considerations.

This rule change would require each **LEA** (local education agency) or district to design and implement a credit system starting no later than the seventh grade. Students entering the 7th grade at the beginning of the 2010-2011 school year would have to meet credit requirements or complete an alternate mechanism to be promoted to the 8th grade.

Motion: Representative Chavez made a motion to recommend approval of **Docket # 08-0202-0903** to the full committee.
Motion carried on a voice vote.

**Docket #:
08-0203-0905**

Luci Willits presented rule regarding the Credit for mastery of subject to the subcommittee. She explained the State Department of Education continues to field numerous calls regarding the number of instructional hours necessary to grant high school credit. Currently state law does not define this. This question has become more prevalent as districts look at adopting a variety of different scheduling alternatives to meet the demands of **NCLB** and the new increased graduation requirements established by the State Board of Education.

Ms Willits further explained it will provide districts with the guidance necessary to establish their instructional calendars, as well as for consistency of credit hours for transferability. This rule change will define a credit as a minimum of 60 hours of instruction.

Motion: **Representative Thompson** made a motion to recommend approval of **Docket # 08-0203-0905** to the full committee.
Motion carried on a voice vote.

**Docket #:
08-0203-0906**

Luci Willits presented rule regarding the Special Education Policy & Procedures to the subcommittee. The proposed changes to this rule provide greater clarity to these rules and reduce confusion. It also removes references to things that Idaho does not or cannot recognize. It also defines and establishes the Idaho Special Education Manual as the official policies, procedures and criteria for special education in Idaho in accordance with federal law.

Motion: **Representative Thompson** made a motion to recommend approval of **Docket # 08-0203-0906** to the full committee.
Motion carried on a voice vote.

Docket #:
08-0203-0907

Luci Willits presented rule regarding the Idaho Content Standards to the subcommittee. In 2005, Idaho submitted assessment materials for review under the standards and assessment requirements of the Elementary and Secondary Education Act, as amended by the No Child Left Behind Act of 2001. External peer reviewers and U.S. Department of Education staff evaluated Idaho's submission and found it was not in compliance with certain regulatory and statutory requirements. Since then, the "state achievement standards" have been updated in IDAPA to read "Idaho Content Standards." However, the term was not changed elsewhere in rule. The rule change will update the term usage, as well as correct an incorrect citation.

Motion:

Representative Pence made a motion to recommend approval of **Docket #08-0203-0907** to the full committee.
Motion carried on a voice vote.

Docket #:
08-0203-1001

Luci Willits presented rule regarding the Revised Accountability Plan to the subcommittee. In February 2009, the State Board of Education approved changes to the Title III/Limited English Proficiency Accountability Plan. Following the approval, the State Board of Education submitted the revised Accountability Plan to the U.S. Department of Education (**USDOE**) for their approval. The **USDOE** responded in a letter that the amendment requests would not be approved unless Idaho alters the requirements slightly in one of the four components.

Motion:

Representative Chavez made a motion to recommend approval of **Docket #08-0203-1000** to the full committee.
Motion carried on a voice vote.

Adjourn:

There being no further business to be brought before the subcommittee, Representative Gibbs adjourned the meeting at 10:45 a.m.

Representative Marc Gibbs
Subcommittee Chairman

Shirley Scott
Secretary

MINUTES

HOUSE EDUCATION COMMITTEE THAYN SUBCOMMITTEE

DATE: January 18, 2010

TIME: 9 A.M.

PLACE: Room EW41

MEMBERS: Chairman Thayn, Representatives Chadderdon, Shepherd (8), Boe, and Durst

**ABSENT/
EXCUSED:** None

GUESTS: Dr. Richard Wilson, ID Commission for Libraries; Dana Kelly, Office of the State Board of Ed.; Harv Lyter, OSBE; Luther Maddy, Rocky Mountain Business Academy; Kris Ellis, Northwest Federation of Career Colleges; Tracie Bent, OSBE; Mark Browning, OSBE; Benjamin Davenport, Risch Pisca; Ed Hawland, Dept. of Administration; Roger Brown, Office of the Governor; Jared Tastro, Office of Performance Evaluations; Julie Pipal, Idaho Electrical Contractors; Bert Marley, Idaho Education Association

Subcommittee Chairman Thayn called the meeting to order at 9 A.M. and a silent roll was taken.

Docket# 08-0104-0901: **Tracie Bent**, from the Office of the State Board of Education presented this docket to the subcommittee. She explained that the purpose of this pending rule is to clarify criteria for the establishment of residency for tuition purposes. She further explained that this rule allows for students who have left the state for educational purposes for more than 30 days to be still be treated as residents of the state for the purpose of tuition.

In response to a question regarding if this rule would address the issue of the University of Idaho's law school students who completed their under graduate course work outside the state, **Dana Kelly** from the State Board of Education explained that this rule would address this issue. She explained that this rule would also make Idaho consistent with other states in handling the residency issue. In response to a question regarding if this rule would apply to students who leave the state to serve a two year mission, **Ms. Bent** explained that there was a provision previously to allow students to leave up to a 30 period of time to address this issue.

MOTION: Rep. Chadderdon made a motion to recommend approval of **Docket# 08-0104-0901** to the full committee. On a voice vote, the motion carried.

Docket #08-0111-0901: **Ms. Bent** also presented this docket to the subcommittee. She explained that this pending fee rule sets out criteria for evaluating post secondary institutions and proprietary schools to comply with changes made to Idaho Code. She further explained that this criteria is essential for determining the legitimacy of the institution for degree granting purposes and the legitimacy of proprietary schools.

Also, in order to provide protection for students, the underfunded tuition

recovery account has been replaced by the requirement of a surety bond. She explained that the purpose of the surety bond is to cover the amount of tuition that a student has paid into a program, should the school go out of business prior to the completion of the program, allowing students to be refunded their costs. The amended formula in this rule better capture this amount.

In response to a question regarding what the change in cost would be for schools, **Ms. Bent** explained that the cap would be changed from \$2,000 to \$5,000 and it would be .5% of the gross revenue of the school, which is more equitable funding. **Harv Lyter**, State Coordinator for state colleges and proprietary schools for the State Board of Education addressed the committee. He explained that the Board previously covered fraud or misrepresentation for post secondary and propriety schools and with the rule change there would now be a bond recovery amount. He further explained that each school would calculate the amount of the bond differently. He explained that if a school goes out of business before the student finishes school, students would be 100% reimbursed.

Luther Maddy, representing the Rocky Mountain Business Academy addressed the subcommittee. He explained that this rule would significantly affect his school. He further explained that he felt that non vocational classes should be exempt from bond requirements. He also explained that the Board should consider how schools receive their funding. He stated that the Rocky Mountain Business Academy often does not receive payment from their students until the student finishes training. He further stated that he does not want the schools financial records to be public information and he would like to work with the State Board in resolving these concerns.

In response to a question regarding if the bond increase would be substantial to his school, **Mr. Maddy** stated that it would be.

Kris Ellis, representing the Northwest Federation of Career Colleges addressed the subcommittee. She explained that the Board started working on changing this rule in 2006. She further stated that the Federation wants the rule to pass, but have some concerns. She explained that the State Board has been good about working within the bond issue, but still feel that it is too vague. She further explained that the group will be bringing legislation to change address the issue of financial records being made public. She explained that there is a section in Idaho Code that require all records of institutions except those that are exempt be public information.

Julie Pipal, representing the Independent Electrical Contractors of Idaho addressed the subcommittee. She explained that their concern is that this rule does not fit what they do. She further explained that the rule carries force of law, but there would be no opportunity to fix things. She recommended that interested parties go back to the drawing table. She also explained that the Contractors school could switch students to online instruction to avoid an increase in the bond.

Ms. Bent explained that if a school sees a significant drop in enrollment, the

Board would work with them and will evaluate what changes may need to be done to the rule next year. She further explained that the Board does feel it is important to have a system in place that covers majority of students and will continue to work with schools that have concerns.

MOTION: Rep. Boe made a motion to recommend approval of **Docket # 08-0111-0901** to the full committee. On a voice vote, the motion carried.

Docket #08-0114-0901: **Ms. Bent** presented this docket to the subcommittee. She explained that this rule deals with the Idaho Rural Physicians program which was established in 2004. This rule outlines the eligibility and criteria for disbursement of incentive payment from the fund toward education debts of rural physicians who practice primary care medicine in medically under served rural areas of the state. The rule also clarifies eligibility criteria and priority selection criteria.

Ms. Bent explained that only students in WWAMI have paid into this fund and those students have priority. In response to a question regarding how long a physician would have to practice in a rural area to receive these funds, **Ms. Bent** explained that they would have to practice 5 years to receive the full amount. She further explained that this will be the first year that funds would be paid out of this account and the funds are sent directly to pay back student loans.

MOTION: Rep. Shepherd made a motion to recommend approval of **Docket # 08-0114-0901** to the full committee. On a voice vote, the motion carried.

Docket #30-0101-0901: **Dr. Richard Wilson**, Associate State Librarian of the Idaho State Library presented this docket to the subcommittee. He explained that this rule clarifies the Commission's grant application process procedure and provides a website address to the Library Services and Technology Act legislation.

MOTION: Rep. Boe made a motion to recommend approval of **Docket #30-0101-0901** to the full committee. On a voice vote, the motion carried.

Docket #30-0101-0902: **Dr. Wilson** also presented this docket to the subcommittee. He explained that this rule is necessary to establish rules regarding the circulation of materials and equipment to eligible blind and physically handicapped persons who are registered with the Idaho Talking Book Service and to provide for the suspension of services resulting from violations of the rule requirements. He explained that this rule is necessary because this Service is changing to a digital format from cassette tapes. He explained that most of these materials come from the national Library of Congress with and a few come from the state. He further explained that each state tries to turn out items unique to the state and these are available through the national data base. He explained that the Library is always looking for volunteers and one does not have to reside in Boise to volunteer.

MOTION: Rep. Chadderdon expressed her appreciation for this valuable service. She made a motion to recommend approval of **Docket# 30-0101-0902** to the full committee. On a voice vote, the motion carried.

Chairman Thayn announced that the subcommittee would meet tomorrow morning at 8:30 A.M. to hear the remaining four rule dockets assigned to

them.

ADJOURN:

As there was no further business to be brought before the subcommittee, Chairman Thayn adjourned the meeting at 9:50 A.M.

Representative Steven Thayn
Subcommittee Chairman

Claudia Howell
Secretary

MINUTES

HOUSE EDUCATION COMMITTEE GIBBS RULES SUBCOMMITTEE

DATE: January 19, 2010

TIME: 9:30 A.M.

PLACE: Room EW41

MEMBERS: Chairman Gibbs, Rep. Hartgen, Rep. Thompson, Rep. Pence, Rep. Chavez

**ABSENT/
EXCUSED:** None

GUESTS: Robin Nettinga, ID Education Assoc.; Sherri Wood, IEA; Bert Marley, IEA; Wayne Davis, ID Assoc. of School Administrators; Harold Ott, ID Rural Schools Assoc.; Emily Anderson, Office of the Governor; Larry Johnson, Endowment Fund Investment Board; Ron Crane, State Treasurer; Dennis Stevenson, Dept. of Administration; Karen Echeverria, ID School Board Assoc.; Pat Sullivan, Sullivan & Reberger; Colby Cameron, Sullivan & Reberger

Subcommittee Chairman Gibbs called the meeting to order at 9:30 A.M. and a silent roll was taken. He announced that the subcommittee will be hearing a fee rule from the Endowment Fund Investment Board but the implications of this rule would affect the entire state.

**Docket #32-
0101-0901:**

Treasurer Ron Crane gave a brief background for this docket. He explained that the State of Idaho was sued by several school districts back in the 1990s, and the Legislature tried to respond to the issue by establishing the school bond revolving loan program. This program is a school bond guarantee fund. He explained that with rating agencies, a triple A rating is the best. He further explained that individual school districts have lower credit ratings and the state has a higher credit rating. If school districts want to access the capital market, they can use the state's higher credit rating. He explained that when the original legislation was crafted back in 1999, it allowed school districts to use the endowment fund to get triple A credit rating and this fund leveraged up to \$600 million. The smaller school districts used this. He explained that the Meridian school district passed a bond and used the state's triple A rating and used all of the money in the endowment fund. The fund was then increased to \$800 million and it was determined that no individual school district could use over \$20 million in the fund.

Treasurer Crane explained that the purpose of the legislation last year regarding this issue was to open up the double A rating and keep a cap on triple A rating. The legislation also allows for the recovery of fees by the state but no one thought of the recovery of soft costs.

Treasurer Crane explained that this issue needs to be a policy decision by

the Legislature and he does not think that it is appropriate in form of a rule. He further explained that he defines soft costs as the use of the state's credit rating and speculative costs. He also explained that collecting fees for hard costs were discussed, but not fees for soft costs.

Larry Johnson, Manager of Investments for the Endowment Fund Investment Board addressed the subcommittee. He explained that this rule allows the Public School Endowment Fund to guarantee that school district bond payments will be made in the event that a school district defaults and State of Idaho funds are not available to make the payment. The State's pledge results in a double A bond rating while the endowment's credit enhancement pledge boosts the rating to triple A. He explained that the program to guarantee school bonds was first established several years ago, but legislation approved last year clarified the program and required the Endowment Fund Investment Board to establish rules to administer the credit enhancement portion of the program.

Mr. Johnson explained that there are two fees specified in the rule. One is an administrative processing fee of up to \$1,000 and the second is a fee for offsetting the opportunity cost to the fund of the guaranty of up to 5 basis points of the original principal plus expected interest. Currently, the specific level of those fees is set by EFIB policy at \$100 for the application fee and 2 basis points for the guaranty fee. He also explained that the Board does not plan to charge a different fee to different districts.

He explained that initially the pending rules developed in June had a fixed fee but, after public discussion and input from all EFIB members in August, the proposed rules were modified to allow a range of fees. The EFIB concluded that a range of fees was prudent since the opportunity and other costs to the Fund of issuing the guaranty may vary with future market conditions. The need to change fees might arise if the State's credit rating were to change or if the Fund could make a lot more money on different opportunities.

In response to a question regarding how school districts would be able to account in their budgets for an adjustment of fees, **Mr. Johnson** explained that the biggest risk districts face when passing a bond is interest rates. He suggested that districts could build in the cost for five basis points into the bond to adjust for these costs.

In response to a question regarding why this issue was not raised before, **Mr. Johnson** replied that the major change of the bill was taking the cap off the fund and this issue of fees was overlooked.

Karen Echeverria, representing the ID School Boards Association addressed the subcommittee. She explained that the Association wants school districts to have access to the fund, but they have been opposed to the fee part of the rule from the beginning. She further explained that the Association is not opposed to hard costs, but soft costs. She explained that there are two problems with the rule, one is the process in which the rule was promulgated. She further explained that a pending rule must be a logical outgrowth from a rule. She reported that the only input received from the Board concerning this rule was from their own board members.

She explained that the Association has a problem that there is no specific fee, only a range of fees. She reported that the Senate State Affairs committee did reject this rule yesterday. She commented that the Legislature needs to take this on as a policy issue or the Endowment Board needs to further study this issue.

Mr. Johnson responded that the original rules were developed on June 30th, then were heard again in August. He further responded that the Investment Board thought it was better to have a range of fees. He explained that the fees are market driven.

In response to a question regarding if a temporary rule would be adopted should this pending rule be rejected, **Mr. Johnson** explained that once a rule is adopted, it is difficult for an agency to change a rule and can only change it if in a they are in a dire emergency.

Wayne Davis, representing the Idaho Association of School Administrators explained that the Association supports the testimony of **Ms. Echeverria**. He further explained that with the current proposed hold backs in education, it is inappropriate to look at increased fees for districts.

Sherri Wood, president of the Idaho Education Association addressed the subcommittee. She reported that the Association supports the School Board Association and are against this pending rule.

MOTION: Rep. Hartgen made a motion to recommend rejection of **Docket #32-0101-0901** to the full committee. Rep. Chavez seconded the motion. On a voice vote, the motion carried.

ADJOURN: As there was no further business to be brought before the subcommittee, Chairman Gibbs adjourned the meeting at 10:25 A.M.

Representative Marc Gibbs
Subcommittee Chairman

Claudia Howell
Secretary

MINUTES

**HOUSE EDUCATION COMMITTEE
THAYN SUBCOMMITTEE ON RULES**

DATE: January 19, 2010

TIME: 8:30 A.M.

PLACE: Room EW41

MEMBERS: Chairman Thayn, Rep. Chadderdon, Rep. Shepherd (8), Rep. Boe, Rep. Durst

**ABSENT/
EXCUSED:** Rep. Shepherd (8)

GUESTS: David Hawkes, Idaho Division of Vocational Rehabilitation; Harold Ott, ID Rural School Assoc.; Tracie Bent, Office of the State Board of Ed.; Mark Browning, Office of the State Board of Ed.; Wayne Davis, ID Assoc. of School Administrators; Camille Wells, State Dept. of Ed.; Christina Linder, State Dept. of Ed.; Glenn Orthel, Professional Technical Ed.; Luci Willits, State Dept. of Ed.

Chairman Thayn called the meeting to order at 8:35 A.M. and a silent roll was taken.

Docket #47-0101-0901: **David Hawkes**, Field Services Bureau Chief for the Idaho Division of Vocational Rehabilitation presented this docket to the subcommittee. He explained that adoption of this rule will provide consistency with the client appeals process in rule as well as in the Field Service Manual.

MOTION: Rep. Durst made the motion to recommend approval of **Docket #47-0101-0901** to the full committee. On a voice vote, the motion carried.

Docket #08-0202-0903: **Christina Linder**, from the State Department of Education presented this docket to the subcommittee. She explained that this rule change responds to a statewide challenge in meeting federal guidelines for Highly Qualified status and teacher shortages. She further explained that in light of increased math and science graduation requirements, it is clear that the state may be facing an even greater shortage in core content areas. This rule change proposes an avenue to head off a dramatic deficiency. The rule allows for more local control and flexibility in meeting certification requirements especially in rural areas. She explained that this rule change allows endorsements to be added to Professional Technical certificates. It will allow technical education teachers to become highly qualified in core content area endorsements so they can take on additional assignments.

Ms. Linder explained that in 2005 Idaho redesigned the social studies endorsement to meet the mandate of No Child Left Behind. An interdisciplinary endorsement was no longer sufficient and content expertise was to be proven in all four of the core content areas contained within the endorsement; government, economics, geography, and history.

She explained that though the original design was intended to satisfy these requirements making social studies endorsed teachers highly qualified in all of these areas, it was found unacceptable to the US Department of Education.

In response to a question regarding what comments were received from the public regarding the social studies endorsement, **Ms. Linder** explained that the superintendent of the Boise School district felt that it was unreasonable to attain this endorsement. She explained that a teacher can have an endorsement in just one area, but a teacher who wants to teach in all four content areas needs this certificate.

Ms. Linder clarified that rural schools can offer classes through the Idaho Digital Learning Academy so their students can have access to highly qualified teachers.

In response to a question from Rep. Durst regarding why sociology and psychology were taken out of the core endorsements for the social studies certificate, **Ms. Linder** explained that in the federal highly qualified mandate, they were not considered highly qualified standards.

MOTION: Rep. Durst made a motion to recommend acceptance of **Docket #08-0202-0903** with the exception of Section 11 on page 32 dealing with social studies.

SUBSTITUTE MOTION: Rep. Chadderdon made a Substitute Motion to send **Docket #08-0202-0903** to the full committee without recommendation for further discussion. On a voice vote, the Substitute Motion carried.

Docket #08-0202-0906: **Luci Willits** from the State Department of Education presented this docket to the subcommittee. She explained that this rule deals with the three credit course called Mathematical Thinking for Instruction. Three Mathematical Thinking for Instruction classes have been developed that are grade level specific. Through this rule change, teachers and administrators will be required to take one of the three courses developed that most closely aligns with their current assignment prior to September 1, 2014. She explained that the math initiative fund would pay for these classes.

In response to a question regarding what would happen if the math initiative is not funded, **Ms. Willits** explained that teachers would have to pay for their own courses. She also explained that there was a concern regarding requiring administrators to take this course.

In response to a question regarding how teachers feel about being required to pay for this course should the math initiative funding be cut, **Sherri Wood**, president of the Idaho Education Association explained that if funding is cut, she does not believe teachers would be required to take these classes, but if they are required to pay for these classes themselves, they would be upset. **Ms. Willits** responded that she thinks the math initiative will remain in the budget and it would be a travesty to take funding away from this successful program.

MOTION: Rep. Durst made a motion to recommend rejection of **Docket #08-0202-**

0906 to the full committee.

**SUBSTITUTE
MOTION:**

Rep. Boe made a Substitute Motion to recommend approval of **Docket #08-0202-0906** to the full committee. In discussing her motion, she explained that she felt it is not the role of the subcommittee to wonder what would happen if funding for the math initiative is cut. She explained that the committee should take a positive approach and if funding is cut, the legislature could revisit the rule.

On a voice vote, the Substitute Motion carried with Rep. Durst voting NAY.

**Docket #08-
0202-0907:**

Luci Willits also presented this docket to the subcommittee. She explained that this rule allows for additional classes in the Mathematical Thinking for Instruction course that have been requested by teachers. As part of the math initiative, the follow up support includes working closely with regional math specialists and district instructional coaches.

MOTION:

Rep. Chadderdon made a motion to recommend approval of **Docket #08-0202-0907** to the full committee. On a voice vote, the motion carried.

Subcommittee Chairman Thayn announced that the subcommittee has concluded hearing the rules that were assigned and thanked the members for their work.

ADJOURN:

As there was no further business to be brought before the subcommittee, Chairman Thayn adjourned the meeting at 9:10 A.M.

Representative Steven Thayn
Subcommittee Chairman

Claudia Howell
Secretary

MINUTES

HOUSE EDUCATION COMMITTEE

- DATE:** January 20, 2010
- TIME:** 9:30 A.M.
- PLACE:** Room EW41
- MEMBERS:** Chairman Nonini, Vice Chairman Shirley, Representatives Trail, Block, Nielsen, Chadderdon, Shepherd (8), Wills, Marriott, Thayn, Gibbs, Hartgen, Thompson, Boe, Pence, Chavez, Durst, Chew
- ABSENT/
EXCUSED:** Rep. Block and Rep. Hartgen
- GUESTS:** Sherri Wood, ID Education Assoc.; Mark Browning, State Board of Education; Tracie Bent, State Board; Ed Hawley, Dept. of Administration; Jacque Truex, ID Division of Vocational Rehabilitation; Michael Graham, Vocational Rehabilitation; Wayne Davis, ID Assoc. of School Administrators; Paul Agidius, State Board; Harold Ott, ID Rural Schools Assoc.; Christina Linder, State Department of Education; Peggy Wenner, State Dept. of Ed; Rhonda DeMeis, State Dept. of Ed.; Lisa Kramer, State Dept. of Ed.; Luci Willits, State Dept. of Ed.; Jeffry Dolifka, Intern
- Chairman Nonini called the meeting to order at 9:30 A.M. and a silent roll was taken. He introduced the president of the State Board of Education, Paul Agidius from Moscow.
- MOTION:** Rep. Chavez made a motion to approve the minutes from the January 14, 2010 meeting as submitted. On a voice vote, the motion carried.
- MOTION:** Rep. Thayn made a motion to approve the minutes from the Thayn subcommittee on January 18th, 2010 as submitted. On a voice vote, the motion carried.
- MOTION:** Rep. Thompson made a motion to approve the minutes of the Gibbs subcommittee on January 18th, 2010 as submitted. On a voice vote, the motion carried.
- Rep. Thayn reported that his subcommittee met and heard the rules of the State Board of Education, Idaho Commission for Libraries, the Idaho Division of Vocational Rehabilitation and the Idaho State Department of Education. He gave a brief description of each of the dockets discussed in his subcommittee.
- Docket #08-0104-0901:** Rep. Thayn explained that this docket clarifies the residency requirements. There was little discussion in the subcommittee and the subcommittee recommended approval of this docket to the full committee.

- Docket #08-0111-0901:** Rep. Thayn explained that this is a fee rule that deals with post secondary proprietary schools. The rule outlines a way to pay students who attend these schools and the school goes out of business. It also provides for purchasing a bond in case they default. He also explained that there was a concern raised in the subcommittee by those representing proprietary schools about the cost of the bond. Rep. Thayn explained that the subcommittee recommended approval of this rule to the full committee. **Tracie Bent**, from the State Board of Education clarified that the fees assessed would be paid to the State Board.
- Docket #08-0114-0901:** Rep. Thayn explained that this docket deals with the incentive program to pay back student loans for physicians who practice in rural areas of the state. The subcommittee recommended approval of this rule to the full committee.
- Docket #30-0101-0901:** Rep. Thayn explained that this docket deals with the grant application process for Library Commission. The subcommittee recommended approval of this rule to the full committee.
- Docket #30-0101-0902:** Rep. Thayn explained that this rule outlines how to suspend services for violations of materials that state library sends out to the blind and handicapped. The subcommittee recommended approval of this rule to the full committee.
- Docket #47-0101-0901:** This rule places the Idaho Division of Vocational Rehabilitation's Field Service manual in rule regarding the client appeal process. The subcommittee recommended approval of this rule to the full committee.
- Docket # 08-02020-0903:** This rule deals with the Professional Technical Education endorsement and with interdisciplinary certifications. Rep. Thayn reported that there was some concern expressed in the subcommittee that some felt this certification set the bar too high. He further explained that one can receive individual endorsements. He reported that the subcommittee had no recommendation on this docket for the full committee.
- Docket #08-0202-0906:** This rule deals with the Math Thinking for Instruction courses required under the state's math initiative. Teachers and administrators would be required to take a grade level specific math critical thinking class in the next 5 years and the Math Initiative would pay for these classes. Rep. Thayn reported that there was some discussion regarding what would happen if funding for the math initiative is cut. He explained that the subcommittee was told that if the funding was cut, the rule would be revisited and teachers would be required to pay for these classes. He further explained that there was hesitancy on the part of the subcommittee to recommend approval of this rule if teachers would be required to pay for these courses.
- Christina Linder** from the State Department of Education explained that **Luci Willits** had testified in the subcommittee that she felt that funding for the math initiative would not go away, but if it does, the Department would revisit the rule and teachers would pay for the course if they wanted to. Rep. Chavez commented that currently every teacher is required to take this class and they will not be compensated for their travel time because the state does not have the funding to do so. She further commented that these courses are not taught in centralized areas.

Ms. Linder responded that the Department also has heard these concerns, and the Department would have to review this rule if funding goes away. She further responded that there has been an effort to make the class online and increase capacity. She clarified that funding for these courses is from the State.

In response to a question regarding why just math courses, **Ms. Linder** explained that the math courses teach critical thinking and through this course work, they are seeing kids come up with multiple ways to solve problems.

Rep. Thayne reported that the subcommittee recommended approval of this docket to the full committee.

Docket #08-0202-0907:

This rule deals with additional Math Thinking for Instruction follow-up support. Rep. Thayne reported that this rule was recommended for approval to the full committee.

In response to a question regarding if there was discussion in the subcommittee about funding or how this mentoring would take place, Rep. Thayne explained that there was not much discussion and the subcommittee had the sense that this would be more optional. It was commented that if the math initiative is not funded, this rule would be impacted.

Chairman Nonini was called to another meeting and Vice Chairman Shirley conducted the meeting. He explained that the committee would continue with the preliminary reports from the subcommittees the Committee will vote on the rule dockets at a later meeting.

Rep. Thayne thanked the members of the subcommittee for their work. Vice Chairman Shirley thanked both subcommittee chairmen for their work on this important procedure.

Rep. Gibbs reported that his subcommittee met and heard the rules from the State Department of Education and the State Endowment Fund.

Docket #08-0202-0901:

This rule deals with teacher performance evaluations. Rep. Gibbs reported that the subcommittee recommended approval of this docket to the full committee. He further reported that there was considerable debate on this rule and the subcommittee was not unanimous on this recommendation. Rep. Chavez expressed her concern regarding funding for the evaluations. **Christina Linder** from the State Department of Education responded that this rule was not proposed to be funded by the state in any way, but it will involve training, time and staff. She explained that federal stimulus funds received by the state are designed for this mandate and every school will receive these funds. Rep. Chavez commented that there are funds for this, but her concern is when funds go away what will happen to ongoing training and sustainability. She further commented that teaching cannot be measured or learned online, and effectiveness also cannot be evaluated online. This would require a lot of mentoring and collaboration. **Ms. Linder** responded that she agrees evaluation will take ongoing training. She further commented that teacher performance evaluations have been in statute a long time and teachers deserve fair evaluation. She explained that the State will have two years of federal stimulus funds to lay the framework.

Rep. Gibbs reported that the vote was 3 to 2 to recommend approval of this docket to the full committee in the subcommittee.

Docket #08-0202-0902:

This rule is regarding highly qualified teachers. Rep. Gibbs reported that the subcommittee unanimously recommended approval of this docket to the full committee.

Docket #08-0202-0904:

This rule allows for online teacher endorsement. Rep. Gibbs reported that the subcommittee unanimously recommended approval of this docket to the full committee.

Docket #08-0203-0902:

This rule deals with curricular revision. Rep. Pence explained that curriculum revisions are due each year in different areas and standards are updated. Rep. Gibbs reported that the subcommittee unanimously recommended approval of this docket to the full committee.

Docket #08-0203-0903:

This rule is regarding the middle school task force. Rep. Gibbs reported that there was discussion as to the definition of a middle school and the credit system was clarified that it starts in the 7th grade. The rule also sets minimum standards for credits. Rep. Gibbs reported that the subcommittee unanimously recommended approval of this docket to the full committee.

Docket #08-0203-0905:

This rule deals with credits for mastery of subject. It also defines a high school credit as 60 hours of instruction per credit. **Ms. Willits** clarified that this rule would also allow school districts to set policy to let students challenge high school courses. Rep. Gibbs reported that the subcommittee unanimously recommended approval of this docket to the full committee.

Docket #08-0203-0906:

This rule deals with special education policy and procedures. It is a housekeeping procedure and sets special education requirements closely to education requirements. Rep. Gibbs reported that the subcommittee unanimously recommended approval of this docket to the full committee.

Docket #08-0203-0907:

This rule deals with Idaho content standards. Rep. Gibbs reported that the subcommittee unanimously recommended approval of this docket to the full committee.

Docket #08-0203-1001:

This temporary rule deals with the revised accountability plan. It also deals with classroom size to comply with the No Child Left Behind law.

Luci Willits explained that this rule makes technical changes and adds clarification on homebound students and expelled students as to when they should be tested. Rep. Chavez explained that this rule clarifies how to count children on temporary suspension so that schools are not penalized.

Rep. Gibbs reported that the subcommittee unanimously recommended approval of this docket to the full committee.

Docket #32-0101-0901:

This rule is from the State Endowment Board and establishes a fee to schools who use the endowment fund to change their credit rating. Rep. Gibbs explained that on first \$20 million, the schools can use triple A rating and it could cost school districts up to \$16,000. He further explained that this rule was controversial.

Rep. Gibbs reported that his subcommittee unanimously recommended that this rule be rejected by the full committee.

Vice Chairman Shirley explained that this legislation came through the committee last year. In the statute, there is a provision for the Endowment Board to assess a hard cost fee for processing application fees from school districts. He further explained that there is no mention for a second fee for the guaranty and this is usually a fiduciary responsibility. He stated that it was not the intent for schools to pay for this cost. He further stated that the discussion was that this would be a policy change, and could be heard in the form of legislation. He also reported that this rule was rejected by the Senate State Affairs Committee yesterday.

Rep. Gibbs explained that the original rule was passed by the Endowment Fund's executive board in June and when full board looked at later they raised the fee.

Karen Echeverria, from the Idaho School Boards Association explained that the committee could reject a part of the rule, but there is no need for the rest of the rule if the fee does not exist.

It was commented that the state is underwriting someone else's debt and there is risk involved. **Ms. Echeverria** explained that the State guarantees the bond, but currently cities and counties are not being charged and that is a policy decision. In response to a question regarding how many school districts have ever defaulted on a loan, **Ms. Echeverria** replied that she knew of none.

Vice Chairman Shirley thanked Rep. Gibbs and Rep. Thayne for their reports, and announced that the Committee will continue to study and look at these rules and will vote next week. He explained that Committee members could contact anyone from the state agencies with any questions. Rep. Durst requested that the Committee vote on each rule docket individually. Vice Chairman Shirley responded that he would visit with Chairman Nonini on this issue.

Vice chairman Shirley reported that Rep. Marriott's wife's funeral was held yesterday in Blackfoot. Rep. Anderson stated that Rep. Marriott will be returning to the Legislature on Monday, January 25th and expressed his appreciation to the Committee for the chance he has had to serve.

Vice Chairman Shirley announced that the Committee will meet jointly with the Senate Education Committee on Monday, January 25th from 3 to 5 P.M. in the senate/house auditorium, so the Committee will not meet Monday morning.

ADJOURN:

As there was no further business to be brought before the Committee, Vice Chairman Shirley adjourned the meeting at 10:50 A.M.

Representative Bob Nonini
Chairman

Claudia Howell
Secretary

MINUTES

HOUSE EDUCATION COMMITTEE

- DATE:** January 21, 2010
- TIME:** 9 A.M.
- PLACE:** Room EW41
- MEMBERS:** Chairman Nonini, Vice Chairman Shirley, Representatives Trail, Block, Nielsen, Wills, Chadderdon, Shepherd (8), Marriott, Thayn, Gibbs, Hartgen, Thompson, Boe, Pence, Chavez, Durst, Chew
- ABSENT/
EXCUSED:** Rep. Block, Rep. Nielsen
- GUESTS:** Phil Homer, ID Assoc. of School Administrators; Harold Ott, ID Rural Schools Assoc.; Mark Browning, Office of the State Board of Ed.; Mike Rush, Office of the State Board of Ed.; Tracie Bent, Office of the State Board of Ed.; Jeffrey Dolifka, Intern; Steven Meade, ID School Board Assoc.; Zach Arama, University of Idaho
- Chairman Nonini called the meeting to order at 9:05 A.M. and a silent roll was taken.
- MOTION:** Rep. Thompson made a motion to approve the minutes from the Gibbs subcommittee from January 19th, 2010. On a voice vote, the motion carried.
- MOTION:** Rep. Thayn made a motion to approve the minutes from the Thayn subcommittee from January 19th, 2010. On a voice vote, the motion carried.
- Chairman Nonini announced that the Committee will not hear **RS 19219C1** which is the third item on today's agenda at this time.
- RS 19215:** **Mark Browning**, from the State Board of Education presented this RS to the Committee. He explained that **RS 19215** is designed to revise language in the Code to allow for employment of president's spouses at institutions of higher education. He further explained that the State Board would be responsible to develop policies to deal with this issue on an individual basis.
- Chairman Nonini expressed his concern that according to a recent newspaper article, 118 people in the state earn more money than the Governor and 85% are from higher education. He explained that he is not comfortable with this proposed legislation. He questioned whether there is a problem currently in the state with this issue.
- Mr. Browning** responded that there is currently a situation at Idaho State University with president Vailus' wife. She has her doctorate degree in nutrition and has previously taught at another university. Under current law, she is unable to teach at ISU. **Mr. Browning** explained that because of the geographic makeup of our state, there are not enough institutions of higher learning for spouses to be employed.
- He further explained that these positions are very specialized and there are

a limited number of people that could fill them. He explained that this would be an additional tool to retain and attract university presidents.

Chairman Nonini commented that when Dr. Vailus was hired at ISU, he knew the rules and now he wants the rules to be changed. He questioned if there had been discussion at the State Board regarding this issue. **Mr. Browning** responded that there had been discussion and none of the university presidents have said they will leave if their spouses are unable to work at the same institution.

In response to a question regarding the vague language in the proposed legislation regarding the employment relationship between the spouse and the president, **Mr. Browning** explained that latitude would be given to Board for reporting situations.

MOTION:

Rep. Durst made a **Motion to introduce RS 19215.**

Rep. Thompson commented that this proposed legislation would be a help to recruit the best for the state and would assist Idaho students.

In response to a question regarding if other states have similar language in statute, **Mr. Browning** explained that the language has been patterned after best practices but does not know about specific states that have similar language.

Rep. Trail commented that he has talked to faculty and staff at the University of Idaho concerning this issue. He felt that the proposed legislation would have a negative impact on faculty and staff morale.

Rep. Wills commented that in school districts there has been an underlying attitude regarding this issue. He further commented that he has ambivalence regarding this issue. He stated that any form of merit compensation for spouses could cause problems. **Mr. Browning** responded that the State Board would have to set up more stringent guidelines and the employee would have to work harder to prove themselves.

Vice Chairman Shirley commented that this is a tough issue to deal with. He asked if the position they are looking at is difficult to fill. **Mr. Browning** responded that the Board would look at all positions because the spouses have varied areas of specialization. Vice Chairman Shirley commented that he is uncomfortable opening up this language.

Chairman Nonini questioned if the Board had considered contacting legislative leadership, counties, and cities to see if they wanted the language changed regarding hiring spouses. **Mr. Browning** replied that the Board did not contact these entities, because the State Board was concerned about what they have control over. Chairman Nonini commented that it sometimes works better when there is a broad base of support.

In response to a question regarding the Board's ability to write administrative

rules, **Mr. Browning** clarified that the State Board would set up guidelines through Board policy and not through rules.

In response to a question regarding the Board's role in hiring university presidents, **Mr. Browning** explained that it would be incumbent upon the Board to feel comfortable with this and no spouse would be hired just because of who they are.

Rep. Boe commented that as long as the Board has oversight, she would be comfortable with this issue. She further commented that it would be a waste of talent and achievement if a spouse could not be hired because of the current statute.

Rep. Thompson commented that in K-12, spouses of superintendents can be hired in the districts and this proposed legislation would be extending this privilege to university presidents. **Mr. Browning** commented that this proposed legislation is not about an individual president or spouse.

Rep. Trail commented that he would be willing to approve the proposed legislation for a hearing so the Board could provide information regarding what policies other states have and get input from faculty. **Mr. Browning** responded that he would be willing to obtain this information.

SUBSTITUTE MOTION:

Rep. Shepherd made a Substitute Motion to send **RS 19215** back to the sponsor.

Rep. Hartgen commented that the language in the proposed legislation would be just for spouses and not for other relatives.

Dr. Mike Rush, executive director of the State Board of Education addressed the Committee. He explained that the proposed legislation used specific language and does not deal with other relatives. He further explained that university presidents are responsible for all staff at the school. He reported that the Board is conservative on this issue and any policy they put together will be very restrictive. He further reported that now because of the law, they cannot consider any kind of policy for a spouse of a president.

In response to a question regarding how much time was left on the current president's contracts, **Dr. Rush** responded that there are 2 ½ years left for all of the university presidents.

ROLL CALL VOTE:

On a roll call vote, **the Substitute Motion to send RS 19215 back to the sponsor failed with 12 NAY votes, 4 AYE votes and 2 absent and excused.** Representatives Shepherd, Wills, Pence and Chairman Nonini voted **AYE**. Representatives Shirley, Trail, Chadderdon, Anderson, Thayn, Gibbs, Hartgen, Thompson, Boe, Chavez, Durst and Chew voted **NAY**. Representatives Block and Nielsen were absent.

VOTE ON ORIGINAL MOTION:

On a voice vote, the **Original Motion to introduce RS 19215** carried.

RS 19216: **Mr. Browning** also presented this RS to the Committee. He explained the proposed legislation deals with abilities to properly delegate administrative decisions. He further explained that the State Board has a broad, deep scope of responsibility in its constitutionally mandated “general supervision” of all education in Idaho. The proposed legislation would permit the Board to delegate certain duties to its institution president and as such, the Board will be able to more fully focus its efforts and attention on policy and oversight rather than direct administrative duties.

Mr. Browning gave an example of a duty that could be delegated. He explained that currently the Board has to approve tuition fee waivers for border districts. If the proposed legislation is adopted, the Board would be able to delegate this responsibility to the district.

MOTION: Rep. Wills Made a motion to introduce **RS 19216**. On a voice vote, the motion carried.

Chairman Nonini announced that the Committee will not meet tomorrow and not meet Monday morning, but will meet at 3 P.M. jointly with Senate Education Committee on Monday, January 25th to hear a presentation from two manufactures about what they say about quality of work force coming out of higher education in the state.

ADJOURN: As there was no further business to be brought before the Committee, Chairman Nonini adjourned the meeting at 10:05 A.M.

Representative Bob Nonini
Chairman

Claudia Howell
Secretary

MINUTES

JOINT MEETING

**SENATE EDUCATION COMMITTEE
HOUSE EDUCATION COMMITTEE**

DATE: January 25, 2010

TIME: 3:00 p.m.

PLACE: Room WW55

MEMBERS PRESENT: Chairman Goedde, Vice Chairman Mortimer, Senators Schroeder, Andreason, Fulcher, Pearce, Winder, Malepeai and Kelly

**MEMBERS ABSENT/
EXCUSED:** Chairman Goedde, Vice Chairman Mortimer, Senators Schroeder, Andreason, Pearce, Fulcher, Winder, Malepeai, and Kelly

Chairman Nonini, Vice Chairman Shirley, Representatives Trail, Block, Nielsen, Chadderdon, Shepherd (8), Wills, Marriott, Thayn, Gibbs, Hartgen, Thompson, Boe, Pence, Chavez, Durst, and Chew.

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 meeting to order at 3:00 p.m.

PRESENTATION **Professional Technical Education**

Chairman Goedde welcomed **Ron Nilson**, President/CEO of Ground Force Manufacturing, to share with the Education committees a consumer and business perspective on Idaho's educational system. **Mr. Nilson** shared his educational history. North Idaho's Manufacturers Consortium is a group **Mr. Nilson** helped start with the vision to bring business leaders together to operate as one voice to be heard by the government. Today the company is represented by the CEOs of 41 companies, 7,000 employees, \$375 million in pay roll, and \$60 million in taxes. The organization's vision is to bring respect back into trades and craft industry which are typically thought of as dead-end jobs without benefits.

In 2007, 289 good-paying skilled jobs were hard to fill. The CEOs believe that our educational system is failing students when up to 20-30 % of students entering the K-12 system do not graduate. There is a discrepancy of 11% with our dropout statistics because every district tracks them differently. Sixty-five percent of Idaho's students that do graduate from high school are not going on to college. Forty-four percent of students that go onto college, do not graduate. Sixty to eighty percent of our students that go to work, go into a field they were not educated for. The private sector is not solely looking at education degrees when considering the hiring of graduates. Highly sought after qualities in a potential employee include work ethic, work experience, and certification -

all of which can be independent of a four-year degree. The organization would like to see Professional Technical Education starting in Junior high school. Local industries need to be involved. The area's number one export in North Idaho was students because they were unable to get a job with their education and had to leave the area.

In North Idaho Consortium formed an organization called Kootenai Technical Education Campus (KTEC) with the vision to expose local kids to jobs available to them where they can start building professional technical skills as an alternative to pursuing education beyond high school. The organization seeks to attract three groups of employees. The first are those without the credits and have dropped out of high school. KTEC provides them with a tangible and applicable education that so strongly links education with the workforce that they cannot quit one without being fired from the other. The second group of students are those that graduate without the financial support to go to college. The third group of students are those who excel at college, for whom there is no disadvantage to their exposure to trades and industry in high school. Sixty years ago 17% of jobs required a professional degree, today 20% of jobs require a professional degree. The highest local hiring job in the United States is a manufacturing job. For every 100 jobs created by manufacturing, 450 residual jobs are created. Fifty-five percent of **Mr. Nilson's** job is profiting from cheap labor overseas. The average resident pays \$1 in taxes and consumes \$1.17 in services. Commercial and Industry pays \$1 in taxes and consumes \$.27 in services, bringing stability to the local economic market. **Mr. Nilson** recommends it be made a priority to attract businesses to the United States.

Industry and education need to be working together and discussing certification. They have to stop instructing our kids that they will be happier with a four-year degree than a high school diploma. The highest dropout rate in our nation's statistics is over 25% in the 9th grade because students are not held accountable until they get into the 9th grade. Mark Cottner was given troubled students from five school districts and he created a program that has 97% of students graduating with their high school diploma, certification in a job skill, and a job placement. Forty-nine percent of the kids upon high school graduation turned down a job to go on to continuing education because they were inspired by how applicable their education had become.

KTEC was founded by the private sector donating land to the school districts. Nine hundred kids showed up at Kootenai county fair grounds motivated to try machinery and equipment. **Mr. Nilson** implored the committees to work together with the Industry to promote professional technical education.

Chairman Goedde thanked **Mr. Nilson** and shared the story of a young lady who went through dual enrollment to get her CNA degree, graduated from high school, went to community college and worked on her registered nurse degree. Her instructors went to her and encouraged her to go on to medical school to be a doctor. She said no because she wanted to be an engineer and that she was getting her nursing degree to

pay for her engineering degree.

PRESENTATION Professional Technical Education

Chairman Goedde welcomed **Doug Sayer** as the founder of Premier Technology that does engineering and construction management in Southeastern Idaho. Mr. Sayer has served on the Governor's Science and Technology Advisory Council, and spearheaded a creation of rural Idaho outreach partners.

Mr. Sayer took the podium and stated he wanted to discuss with the Education Committees revolutionizing the educational system. The United States is losing its way in becoming consumers rather than producers. Industry and the workforce needs to be integrated into the elementary and middle schools as well as higher education. He read an email from a sophomore in high school who could neither spell nor write, but demonstrated an understanding of heat transfer, insulation loss and the use of each to build a boiler. Our education system is losing these kids. Millions of baby boomers are getting ready to retire, and the retirement rate will accelerate with economic recovery. China and India have designed their education system in a manner that has prepared them to fill the retirees jobs. **Mr. Sayer** shared average ages of the workforces of Micron, Idaho Power, Career Technology, and Nuclear Industry ranging from as low as 38 years and capping as high as 60 years.

Mr. Sayer predicted that with the economic recovery, the death of the baby boomers, and the decline in taxes, that there will not be enough workers to fill the workforce gap. Discussion on employment is irrelevant, the workforce is declining.

Possible solutions to this problem are to integrate industries and a college presence into every level of school, from kindergarten to the graduate level. Currently, industry presence is accomplished through weekly teleconferences with students in Makay where they are presented with a real life business problem to solve. Industry wants to be involved and wants challenging classes to be offered to students. It is all about compressing the schedule of learning such as allowing challenge tests for students as early as in the ninth grade.

We need to have research based universities. **Mr. Sayer** implored Idaho's education institutions to drop boundaries between the institutions of K-12 and university level education because it hurts the students and industry. One of the strongest assets the state has is the Idaho National Laboratory and our Universities ought to contract to run the lab.

The educational system has to produce an acceptable product. Teachers need to be responsible for individual students' performance. In Stevens Point, WI some high school classes had 60 students and were where **Mr. Sayer** learned the most; the class sizes do not need to be reduced. **Mr. Sayer** shared the Connecticut model where the high schools must pay for the college tuition for their graduates who take remedial college courses. In Rhode Island, a high school class built a bio-fuel powered pickup and

drove it across the country. In seventh grade, **Mr. Sayer** started to take drafting classes and by his junior year he was able to decipher the national building code and deliver architectural drawings that included the foundation, electrical semantics, plumbing and roofing.

Bridges to Futures is a program that creates ghost companies and teaches students how to start and manage their own company. Students are asked to search for a local building project and upon constructing it receive a check from the owner that goes to the school making education relevant for the kids. A northeastern university has 50% to 80% of students' time embedded in internships with companies.

All college programs need to integrate business, science and engineering. Employers look for creative and critical thinking problem solving skills that can be learned by giving students real life experiences. The educational curriculum is oftentimes found to be outdated by the time solutions to real-life solutions are needed.

The economic downturn is driving up University's enrollment and Universities are the number one driver of the economy. We need to run the state government like a business in terms of output and input. Baby boomers are the largest generation we have ever retired. Collective cowardliness is preventing changes. Industry wants to get involved; we need to get together to make and act on decisions to make necessary changes.

Representative Block asked **Mr. Sayer** what the first thing would be that he would change? **Mr. Sayer** answered to remove barriers between universities, vocational technical colleges, high schools and middle schools and create a dialogue where they can all agree on a future vision and clarify the steps needed to get there. **Representative Block** asked **Mr. Sayer** to specify what he meant. **Mr. Sayer** said the challenges existing between upper campus and lower campus must go away. Idaho State University's president was right to work hard to integrate the engineering and technology programs. In Idaho, a business ought to be able to go anywhere they can to get support and not be told their needs are someone else's business.

Chairman Goedde said that Idaho's State Board of Education is an asset that oversees all educational aspects except community colleges. **Representative Chavez** asked **Mr. Sayer** and **Mr. Nilson** how they would reconcile the No Child Left Behind requirements with their proposal to hold students hostage and accountable? **Mr. Nilson** spoke for himself and **Mr. Sayer** that neither of them fully understand the No Child Left Behind policy. They are encouraging the education system to be able to exploit and challenge students with talent and encouraging teachers not to teach to the test. **Representative Chavez** stated the need to understand the barriers and lack of flexibility in the curriculum which is strictly dictated to the teachers so they don't put the school districts in jeopardy. **Mr. Nilson** stated that more time needs to be spent collectively discussing and agreeing on the problem before grasping at solutions. If we remind ourselves to think about what is best for our kids we can come

to an agreement. Idaho is one of the most conservative and aggressive states in the union and it is time for us to lead the discussion. **Mr. Sayer** added that these problems are fundamental and there are ways to get around them if we are willing to look.

Representative Pence asked both presenters to confirm that they are proposing a dual system where we incorporate the professional technical in education. Does either presenter have ideas about further integration then what we already have? **Mr. Nilson** gave the example of offering professional technical scholarships given in his local high school. Seven hundred students came together on a Saturday in North Idaho to have the worlds largest robotics competition that was privately funded. It aired in the headlines as “sports for nerds” which was a huge disappointment to parents and students. We can start if we stop saying stupid things about people who do not want to get four-year degrees. **Mr. Sayer** added that the dual system needs to start in middle school. Both **Mr. Nilson** and **Mr. Sayer** made it a point to educate the public on the value of professional technical careers to students and parents at career fairs. Employees with no more than a high school diploma go on to earn six figure salaries.

Representative Shirley asked to what extent teachers are adaptable to accommodate integrating business with the professional technical education in schools and what is the role of the universities to help prepare the teachers? **Mr. Sayer** stated that when education has asked the private sector to get involved, it has primarily been for financial support instead of involvement. **Mr. Sayer** runs into the barriers when he wants to send his engineer professionals into the schools to teach for three weeks to influence students. The schools refuse to allow engineers to come as guest teachers because they are not accredited. Industry participation in the classroom brings relevance to the curriculum and may enhance students’ grades. **Representative Shirley** asked **Mr. Sayer** to comment on the possibility that the Idaho Education Network could be used for one individual to teach multiple high schools? **Mr. Sayer** agreed and shared that the Mackay example where students were given a real life problem to solve which was delivered online. **Mr. Nilson** added that his experience has been that the people who are teaching the college curriculum are anti-business, which is difficult to understand. He asked why there is an adversary relationship between the colleges and businesses?

Chairman Goedde shared that part of the problem is that educators do not have experience in the business workforce and are fearful of what they do not know. Summer internships for educators to learn and run small businesses have been enlightening and constructive.

Representative Hartgen asked for suggestions on how the school systems can be encouraged to develop and be successful in implementing a free standing votech model? **Mr. Nilson** went around the country to look at successful implementations of the model and engaged the business community. **Mr. Sayer** suggested legislation to mandate the implementation and also suggested that a professional technical high school should be within every 60 miles in Idaho so students can have

access no matter where they live.

Chairman Goedde stated that Oklahoma has a professional technical school district system that overrides local school districts and may service 10 or 15 local districts with professional technical education. **Mr. Nilson** stated that the Idaho State Senate and House passed a bill (HB 253), as the first step in creating an opportunity for multiple school districts to come together to do this and said a good start would be to revisit the reasoning and intent behind the legislation.

Senator Schroeder stated that the legislature wants to do something to support professional technical education and wants the industry's involvement and support. He emphasized that the legislature does not need private money, but the expertise to make these changes. **Mr. Sayer** said that the legislature already has the industry's money. Last year the industry spent \$2 billion on mediating high school students. We have energy companies that are placing their new graduate engineers with our firm so they get a real hands-on experience. **Mr. Nilson** stated that the industry wants to participate and give money. Industry's interests stem from their care for the students, the state and the country. We want to participate with time, talent and treasures. **Senator Schroeder** followed up in telling **Mr. Nilson** and **Mr. Sayer** that the audience in front of them is capable in drafting legislation relevant to this discussion.

Representative Thayne paraphrased that the presenters need more resources to be available for professional technical schools to help shift the state to more of a production and not consumption oriented, a compressed and challenging curriculum and a way to teach.

Representative Durst stated that the presenters lacked empirical data that supports the idea that we need to stop promoting post-secondary education. American's value for post-secondary education has made America a desired place for the rest of the world to go for post-secondary education. **Mr. Sayer** said the message was misunderstood and reiterated that universities need to be research-based. **Representative Durst** followed-up by stating he would like to seek a solution that does not undermine what we have now. **Mr. Nilson** answered that the statistics show that we are failing our kids in preparing them for the workforce. Innovation needs to be remembered with education and something needs to be created and built to set us apart. We are advocating that students learn while they earn.

Representative Nielsen agreed with the presenters and added suggested steps to make a major overhaul in our education system including: training our math teachers to teach larger groups like those in college, having mentors from businesses come and talk to students on a weekly basis, and providing practical applications in school to inspire the students. **Representative Nielsen** asked the presenters how their ideas can be incorporated into community colleges to get the workers they need; are they doing work in the community colleges? **Mr. Nilson** emphasized that higher levels of math curriculum are desired.

Senator Kelly noted the fact that the presenters have called the legislators cowards despite the fact that they ran for office, criticized the University Presidents despite the fact that they are working better together now than they have in the past, and criticizing the entire K-12 system for not producing graduates - all of which is easy for them to say when they don't understand the complexities required by the No Child Left Behind Act, nor the crisis of the budget situation. **Senator Kelly** questions the presenter's delivery over their message - which is a good message. She suggested that in this setting more respect is warranted and may carry the message further. **Mr. Nilson** apologized and clarified that the intent of the message was to give the legislators a realistic picture of what the Industry is seeing and they are here to begin a partnership and vision of where we need to go. People outside of the private sector do not handle the presenters' boldness and directness very well but their intent was to make the message straight forward and uncensored. When we say our educational system is failing our kids, we do not mean that people aren't doing the best they can, nor that they created this; we are recognizing the fact that we are not doing what we need to do to prepare our kids. We have said that we don't understand, and ask to be taught to understand but oftentimes find that the truth is we are not wanted by the educators to understand. **Mr. Sayer** also apologized for offending **Senator Kelly** or anyone in the audience and corrected that he did not criticize the University Presidents. If we need criticism for our delivery method or insubordinate method we will change that and wear it like a Scarlet letter, but it does not change the fact that there is something wrong with the system and it needs to be addressed. I employ your constituents and taxpayers and you are not listening.

Chairman Goedde suggested that the committees are listening.

Representative Thompson asked how do we bring the stakeholders together with a collaborative effort to move this forward? **Mr. Nilson** said there are many ideas and today is meant to be as open and transparent of what we see and then collectively come up with ideas. To start, create an opportunity to let the students have more exposure to what happens after education. **Mr. Sayer** said that we tried to call a summit and sent an invitation to all the legislators; nine responded and five showed up. We want a dialogue to determine a mission and follow it. **Representative Thompson** asked if a task force of business leaders and University Presidents can be formed? **Chairman Goedde** suggested that in the audience today there are four University Presidents, representatives from three community colleges, representatives from the State Board of Education, the State Superintendent and two committees. We have the critical mass here to change and we'll see what can be formed.

Representative Block stated that she serves an organization working on two issues: the high school dropout rates and drug and alcohol issues. She thanked the presenters for their input on how the issues might be addressed. She recognized **Mr. Nilson's** program as being successful in rehabilitating those with drug and alcohol addictions and asked if he could share ideas of ways that the legislature may address the issue better in school districts and with young people? **Mr. Nilson** shared that it started

in 2005 when he struggled to find enough workers and found two areas for an employable workforce: the elderly and the disabled. They have also employed students in jail for drug and alcohol problems and educated them and helped them with addiction problems by teaching them self worth. He also utilized a faith-based approach.

Chairman Nonini thanked the presenters for their criticism and asked them about what roles the counselors play in implementing their proposal? **Mr. Nilson** said that the superintendents have been supportive which has carried over to the counselors. The biggest obstacle was obtaining alternative forms of education without interference from teachers and students telling students that industry and manufacturing jobs are dead-end jobs. We have to get the counselors on board to at least see industry jobs as an option for students. **Chairman Nonini** said that we need to get educators to understand that the needed workforce is only 20% four-year degree people, 60 % skilled people and 20% unskilled, and the educational system needs to teach to those statistics.

Mr. Nilson reiterated that action needs to happen now to save the hundreds of kids we lose every year who drop out of high school. **Mr. Sayer** commented on the accountability of counselors so students can know their options. **Mr. Nilson** said that survey delivered by the consortium to their employees found that only 5% had ever had career counseling - only disciplinary counseling.

Senator Winder asked the presenters to comment on a bill the Education Committee is considering to require credit accountability at the junior high level? **Mr. Sayer** said he would like to see credit accountability mandatory so younger grade levels can measure their achievement in science, technology and math. **Senator Winder** asked if the presenters plan to have business associates function as student advisors in each of the districts? **Mr. Sayer** said that they currently participate on many advisory boards and wherever the schools have a need the Industry looks to fill it. **Senator Winder** asked again about the presenters involvement with school districts? **Mr. Nilson** said that KTEC was the door opener to a partnership with the school districts. **Mr. Sayer** said that ISU has reached out and asked the presenters to participate. He said that he would like to have a follow-up meeting with the members in the audience to make a plan.

Chairman Goedde said that he would not characterize the presentation as a complaint but offers a vision from two perspectives on where every one needs to go to further discuss how education is delivered to the people that we need to support us in this state in the next generation. It is really easy to be defensive but **Chairman Goedde** asked everyone to focus on how to approach the problem.

Chairman Nonini thanked the presenters and welcomed them for future presentations and encouraged everyone to keep momentum on the issue.

ADJOURNMENT The meeting adjourned at 5:06 p.m.

Senator John Goedde
Chairman

Representative Bob Nonini
Chairman

Dorena Schrader
Secretary

Alicia Keefe
Assistant Secretary

MINUTES

HOUSE EDUCATION COMMITTEE

DATE: January 26, 2010

TIME: 9 A.M.

PLACE: Room EW41

MEMBERS: Chairman Nonini, Vice Chairman Shirley, Representatives Trail, Block, Nielsen, Chadderdon, Shepherd (8), Wills, Marriott, Thayn, Gibbs, Hartgen, Thompson, Boe, Pence, Chavez, Durst, Chew

**ABSENT/
EXCUSED:** Rep. Boe

GUESTS: Mark Browning, State Board of Education; Tracie Bent, State Board of Ed.; Sherri Wood, ID Education Assoc.; Dr. Dene Thomas, Lewis Clark State College; Kathy Martin, LCSC; Tony Fernandez, LCSC, Robert Lohmeyer, LCSC; Richard Ledington, Professional Technical Ed.; Colby Cameron, Sullivan & Reberger; Harold Ott, ID Rural Schools Assoc.

Chairman Nonini called the meeting to order at 9:05 A.M.

MOTION: Rep. Thompson made a motion to approve the minutes from the January 20th, 2010 meeting as submitted. On a voice vote, the motion carried.

MOTION: Rep. Thompson made a motion to approve the minutes from the January 21st, 2010 meeting as submitted. On a voice vote, the motion carried.

Rep. Chavez introduced **Dr. Dene K. Thomas**, president of Lewis-Clark State College to the Committee. Dr. Thomas introduced staff members present. They included Provost **Dr. Tony Fernandez**, Dean **Kathy Martin** Dean of Professional-Technical Programs, **Dr. Robert Lohmeyer** and Coeur d'Alene Regional Director, **Cynthia Hammond**.

Dr. Thomas announced that the new nursing health sciences building has recently opened on campus. She explained that the three part role and mission of the college includes ; academic programs, professional technical programs, and community programs. She further explained that LCSC meets a wide range of needs and serves as a region 2 resource for alternative educational opportunities, economic development and cultural activities.

She reported that since she has become president; the student body has grown 55%, and it is up 8.17% for this spring. She further reported that the average student's high school GPA is 2.95. LCSC offers enhanced advising for all provisionally admitted students, free tutoring and hands-on training in basic computer and web skills.

LCSC has a strong connection to the Nez Perce Tribe and is the only college in the world that teaches the Nez Perce language.

LCSC also works with the community and state and has two community-based outreach centers. The school also is in partnership with St. Joseph's

Regional Medical Hospital and has numerous clinical partnerships. **Dr. Thomas** reported that the nursing program is growing.

Dr. Thomas explained that revenue and state appropriations are down, and student fees are up. She further explained that grants, contracts and gifts are also up

She reported that LCSC recently had their 10 year review by the Northwest Commission on Colleges and Universities. She further reported that this was their most successful visit with six commendations and one recommendation. Commendations included, the process of planning and budgeting is both effective and transparent, the way the college has embraced distance learning, visionary and dynamic leadership with faculty and staff genuinely caring about students.

Dr. Thomas reported that LCSC has quality outcomes including a 90% pass rate for those that take the nurse exam for the first time. She further reported that due to the continuing economic downturn, state revenue forecasts did not permit the Governor to recommend any FY 2011 College and Universities funding for facility occupancy, enrollment workload adjustments, capital replacements and general inflation. In meeting the budget challenge, LCSC will put continued restrictions on operating expenses, delete positions and delay filling vacancies. Dr. Thomas explained that she would prefer to delete positions rather than furlough. She further explained that cuts will be targeted and strategic. LCSC's plan to meet the budget challenge includes; to realign support from challenged areas to successful growth areas, evaluate all vacant positions, preserve funds for faculty promotions, eliminate low demand programs, sustain LCSC's affordability, don't shift undue burden to students, increase class sizes reduce athletic scholarships, and defer maintenance outlays.

Chairman Nonini expressed his appreciation for **Dr. Thomas'** positive attitude and asked her to comment on the presentation on Professional Technical education heard yesterday afternoon in a joint committee meeting. Dr. Thomas explained that she agrees with the importance of Professional Technical education and the motto of LCSC is "Connecting learning to Life." She asked **Dr. Robert Lohrmeyer** to comment on this issue. He explained that LCSC has several advisory committees in the professional technical area. These committees come from industry and represent 23 programs within the professional technical education area. They meet three times a year. He reported that the academic programs are also starting to develop support from industry. He further reported that LCSC's diesel mechanic program is very successful and does not have an opening until 2012.

In response to a question regarding the Foundation at LCSC, **Dr. Thomas** reported that the Foundation is now in listening phase of a new campaign, with the goal to raise \$6 million for scholarships especially for those in financial need.

In response to a question regarding if she felt high school counselors are over emphasizing the need to go to college to students, **Dr. Thomas**

explained that although yesterday's presentation on professional technical education was good, there were some over generalizations. She further explained that it is important for counselors to work with students to find the best avenue for academics. She also explained that she would like to see more of 4 year academic students get a certificate in something to see if they want to go to on to pursue a 4 year degree.

In response to a question regarding the proposed professional technical charter school in the Lewiston region, **Dr. Thomas** explained that she has talked with superintendents of the surrounding area and she is hopeful that LCSC will partner with the proposed school. She further explained that she would like to get the Moscow school district also involved.

In response to a question regarding why the high school GPA is lower than that of other higher education institutions in the state, **Dr. Thomas** explained that LCSC's admission standards are lower and they are servicing a broader group of students.

Dr. Thomas also clarified that "ABE" students are those in adult basic education who are taught to read and do basic math.

In response to a question as to how LCSC has dealt with increased enrollment with the same space, **Dr. Thomas** explained that the college has increased it's offering of online classes. She further explained that half of the online students are on campus. She also explained that online learning will continue to grow, but not all students do well with online courses and she feels face to face is important. Dr. Thomas also clarified that LCSC professors develop their own online courses and the college also provides training for faculty for the development of these courses.

In response to a question regarding the increase in students who are under 18, **Dr. Thomas** explained that this is the result of concurrent enrollment and LCSC is working hard to offer more classes. In response to a question regarding the cost per student, Dr. Thomas reported that Boise State University educates students the most cheaply in the state, followed by LCSC.

In response to a question regarding the issue of increasing class size in high school, **Dr. Thomas** explained that the more students teachers have to deal with, less attention is given to individual students. She further explained that classes are smaller at LCSC and she is not an advocate for bigger class size.

In response to a question regarding student debt, **Dr. Thomas** explained that she worries about debt load. She further explained that every student who gets a college degree goes to work pays and more taxes and benefits society. Education remains a balance between public good and private benefit. As funding shifts, the student picks up the cost. She explained that LCSC is trying to help with scholarships, but there is a need to work harder to have individuals giving back.

H 400: **Mark Browning**, from the State Board of Education presented this bill to the

Committee. He clarified that this legislation in no way deals with college presidents with a way to deal with furloughs. He explained that **H 400** would more clearly delineate the ability of the State Board of Education to delegate certain administrative functions that currently are prohibited by Idaho Code. He further explained that the Board currently delegates some functions where allowed and would like to do so with others that make sense in terms of streamlining efficiencies. This change would not impact the Board's responsibility to provide general supervision.

Mr. Browning gave an example of a function that the State Board could delegate to the Department of Education. Every year Idaho Code requires the Board to approve transportation waivers made to the State Department of Education from local districts. The State reimburses local districts at a set rate for transportation of students. Districts that have expenses that exceed certain parameters then are assessed a fee but have the ability to request a waiver of that fee from the Board. These generally average between \$10,000 to \$15,000. Under **H 400**, the Board would be able to delegate this administrative function to the Department of Education who work with these districts much more closely, thus freeing the Board to work more with policy and strategic measures.

In response to questions regarding possible discrepancies if individual districts control various administrative issues, **Mr. Browning** explained that the Board would put safeguards in place. He further explained that the Board would have the power to delegate, but would not be dissolved of decisions.

MOTION: Vice Chairman Shirley made a Motion to **send HB 400 to the Floor with a DO PASS recommendation**. On a voice vote, the motion carried. **Vice Chairman Shirley will sponsor the bill on the House Floor.**

ADJOURN: There being no further business to be brought before the Committee, Chairman Nonini adjourned the meeting at 10:25 A.M.

Representative Bob Nonini
Chairman

Claudia Howell
Secretary

MINUTES

HOUSE EDUCATION COMMITTEE

DATE: January 27, 2010

TIME: 9 A.M.

PLACE: Room EW41

MEMBERS: Chairman Nonini, Vice Chairman Shirley, Representatives Trail, Block, Nielsen, Chadderdon, Shepherd (8), Wills, Marriott, Thayn, Gibbs, Hartgen, Thompson, Boe, Pence, Chavez, Durst, Chew

**ABSENT/
EXCUSED:** Rep. Wills

GUESTS: Jeffrey Dolifka, intern; Sherri Wood, Idaho Education Assoc.; Phil Homer, ID Assoc. of School Administrators; Zach Arama, University of Idaho; Ashley Cochran, U of I; Patrick Bradbury, U of I; Laura Ann Clark, U of I; Samantha Storms, U of I; Kelsi Vincent, U of I; Katie Williams, U of I; Kelby Wilson, U of I; Vanessa Sonner, Idaho State University; Maria Lemos, ISU; Spencer Wagner, ISU; Max Pond, ISU; Joel Zwainz, U of I; Stephen Parrott, U of I; Kristin Caldwell, U of I; Samantha Perez, U of I; Sophia Tsui, U of I; Lindsey Vincent, U of I; Tanner Mangan, ISU; Lekiwé Phiri, ISU; Mark Browning, State Board of Ed.; Alexis Olson, U of I; Steven Soltzman, ISU

Chairman Nonini called the meeting to order at 9:05 A.M.

Kelby Wilson, student body president at the University of Idaho addressed the Committee. He explained that he felt it was important for Committee members to hear from student's perspective. He further explained that he is aligned with the other student body presidents. He stated that he understands that this is an extremely difficult session and asked that budget cuts for higher education would be minimal.

Mr. Wilson explained that he recently spent 3 weeks in Cambodia working with children. He stated that education around the world is the hope and beacon to make one successful. He further stated that we are fortunate to have the opportunity to have K-12 system and higher education. He explained that he grew up in Cottonwood, Idaho and hopes to attend medical school after graduation. He plans to return to rural Idaho to practice medicine.

He expressed the need for the passage of the \$10 million grant from federal stimulus package and \$1.6 million for technology. He stated that the state's student body presidents are unified in asking the State to keep as much money as they can in the higher education budget. He stated that when state dollars are cut, increased costs are passed on to students. Currently Idaho students pay about \$5,000 per year for tuition, and outside of the state, tuition costs are about \$9,000 per year.

In response to a question regarding how he is paying tuition, **Mr. Wilson**

explained that he was able to get scholarships through the Air Force by participating in the ROTC program. He has since dropped out, and now owes money. He explained that he plans to fight wild fires this summer to help pay tuition costs.

Chairman Nonini mentioned that it is hard to get physicians in rural Idaho and commended **Mr. Wilson** for his choice to return to the state to practice medicine.

In response to a question regarding the average cost of student loans, **Mr. Wilson** estimated it is between \$10,000 to \$20,000 per student. He explained that it is important for universities to continue to offer courses so students can graduate in four years. He further explained that many students switch degrees several times and this adds more money and time. He also explained that the university is looking to grow, but they need to grow strategically. There is capacity to grow in some areas, but not others.

In response to a question regarding the high number of national merit scholars at the University of Idaho in relation to the other colleges, **Mr. Wilson** reported that 79 out of the state's 93 national merit scholars enroll at the University of Idaho. He explained that the University is a high level research university and is the flagship university in the state.

In response to a question regarding how to encourage more high school students to go into math and science, **Mr. Wilson** explained that continued collaboration is needed with national organizations to try to reach more students in K-12 in science and math to develop interest and carry on that interest into higher education.

In response to a question regarding if students receive adequate help in analyzing the cost benefit of their chosen fields of study, **Mr. Wilson** replied that not enough of his peers go through the economic analysis, and this is not being taught well enough. He explained that he was lucky enough to have a father who helped him with this process. He further explained that there are numerous web sites, courses and help on campus.

Ross Knight, student body president at Idaho State University addressed the Committee. He explained that he is majoring in communications. He reported that according to the Department of Labor, Idaho's unemployment rate of 9% is at a 26 year high. He explained that Idaho is seeing record numbers of individuals that are out of work and Idaho State University has seen a 15% increase in enrollment. He also explained that it is important to reemphasize the importance of higher education. He stated that classes at ISU have been reduced because of lack of funding. He further stated that education is the driving force to take the U.S. out of recession.

Mr. Knight reported that a graduate with an advanced degree will make \$49,000 more than a high school graduate. Higher education provides the economy with a high tech workforce. He explained that he understands that the State needs to make budget cuts, but higher education needs support. He further explained that before the current hold backs, higher education has seen reductions of over 20%.

In response to a question regarding the importance of online courses in

higher education, **Mr. Knight** reported that he has participated in one or two of these classes. He explained that online classes allow teachers to educate students from one location to multiple areas around the state.

In response to a question regarding a possible reduction in humanities courses because of the emphasis on science, technology and math, **Mr. Knight** replied that he has seen a reduction in these courses. He also reported that students with humanities degrees often have a difficult time finding a job in their field.

In response to a question regarding if the university spends less per student with increased enrollment, **Mr. Knight** explained that because the state appropriation has decreased, the university has to use enrollment dollars to offset their costs.

Clay Long, student body president at Lewis-Clark State College addressed the Committee. He explained that he is from Genesee majoring in business administration. He stated that higher education is a vital part of the economy and generates more money to the state. He further stated that higher education influences the bringing in of venture capital to the state. He explained that he is proud of the education that is provided in Idaho. He further explained the he knows there are budget cuts to be made and asked that Committee members remember the economy in the future, and continue to keep higher education a priority in Idaho.

He reported that LCSC has recently opened a new nursing building which has doubled the nursing program's capacity. He further reported that the technical preparation program at LCSC allows high school students to come into college with college credits. He explained that it is important to look at retention rates instead of recruitment rates. He further explained that LCSC is working to increase student involvement on campus and also working on increasing the number of community service programs. He stated that the school is thankful for the Albertsons Foundation for scholarship money. **Mr. Long** reported that many students at LCSC hold one or more jobs.

In response to a question regarding the discussion of the formation of a professional technical charter school in the Lewiston area, **Mr. Long** explained that professional technical education is one of his passions. It offers students opportunities of a real world education. He further explained that he would be 100% supportive of a charter school.

In response to a question regarding tuition costs, **Mr. Long** reported that with housing costs, the cost to attend LCSC is about \$17,00 per year. Tuition is \$4,600 per year.

In response to a question regarding budget cuts for higher education, **Mr. Long** explained that in order to recruit top students, there has to be good teachers.

In response to a question regarding student debt, **Mr. Long** reported that the average student debt load is \$18,000.

In response to a question regarding career counseling for students, **Mr.**

Long explained that it is important for students in the K-12 level to be educated on different paths they can choose and it is all about getting them prepared for college.

In response to a question about how he was going to finance medical school, **Kelby Wilson** replied that he was not sure at this point, but he might rejoin the military because of their loan forgiveness program. Rep. Marriott congratulated **Mr. Wilson** on his choice to return to rural Idaho to practice medicine and commented that the state should have a loan forgiveness program. Rep. Marriott further commented that it is critical to keep and grow the medical residency programs in the state.

Chairman Nonini thanked the student body presidents for their informative presentations and presented them with state of Idaho lapel pins.

ADJOURN:

There being no further business to be brought before the Committee, Chairman Nonini adjourned the meeting at 10:05 A.M.

Representative Bob Nonini
Chairman

Claudia Howell
Secretary

MINUTES

HOUSE EDUCATION COMMITTEE

DATE: January 28, 2010

TIME: 9 A.M.

PLACE: Room EW41

MEMBERS: Chairman Nonini, Vice Chairman Shirley, Representatives Trail, Block, Wills, Nielsen, Chadderdon, Shepherd (8), Marriott, Thayn, Gibbs, Hartgen, Thompson, Boe, Pence, Chavez, Durst, Chew

**ABSENT/
EXCUSED:** Rep. Wills

GUESTS: Dr. Priscilla Bell, North Idaho College; Dr. Cyndie Hammond, Lewis-Clark State College; Dr. Jerry Beck, College of Southern Idaho; Jeffrey Dolifka; intern; Teresa Molitor, NIC

Chairman Nonini called the meeting to order at 9:05 A.M. He shared with the Committee about his visit to a local elementary school yesterday. He explained that he and Rep. Anderson met a student from Whitney Elementary school in Boise while flying to Boise and the student invited them to visit his school. He and Rep. Anderson spent about an hour and a half at the school yesterday and commented that the questions they fielded from the 6th grade students were tougher than those from their peers. He mentioned that they gave lapel pins to the students and mentioned that these pins are available for any Representative to take when they do similar visits. He encouraged Committee members to visit schools when the opportunity arises.

MOTION: **Rep. Thompson** made a motion to approve the minutes from the joint meeting with the Senate Education committee on January 13th, 2010 as submitted. **On a voice vote, the motion carried.**

MOTION: **Rep. Chavez** made a motion to approve the minutes from the January 26th, 2010 meeting as submitted, with one change to correct a misspelling of Robert Lohrmeyer's name in the guest section. Instead of "Lohmeyer", it should be changed to "Lohrmeyer". **On a voice vote, the motion carried.**

MOTION: **Rep. Chavez** made a motion to approve the minutes from the January 27th, 2010 meeting as submitted. **On a voice vote, the motion carried.**

Rep. Chadderdon introduced **Dr. Priscilla Bell**, president of North Idaho College to the Committee. She explained that Dr. Bell came to NIC as an interim president in 2007, and then was selected to serve as president. She has been very involved in community colleges for the past 30 years and is also very involved in the community.

Dr. Bell addressed the Committee. She introduced NIC's Vice President **John Martin**.

She explained that NIC serves the five most northern counties in Idaho

which has a population of about 200,000. NIC's main campus is in Coeur d'Alene, with satellite schools in other small towns and a workforce training center in Post Falls. She reported that student enrollment for credit classes has been exploding. There has been a 17% increase this last fall and the spring enrollment is about 20% higher than that of last spring. She further reported that NIC serves about 5,900 credit students and about 9,800 non credit students through the work force training program. She explained that all of the college's programs serve around 21,000 students every semester. She explained that NIC serves an important role in their region. She further explained that about 90% of their students come from Idaho. NIC is expanding beyond bricks and mortar with a 61% growth in internet classes. She reported that E-learning is a key feature of community colleges and it is all about access. NIC is expanding access through their dual enrollment program and has seen a 91% increase.

Dr. Bell explained that NIC will continue to be a good steward of state dollars. She further explained that with the current budget situation, it is especially difficult when enrollment is increasing. She reported that the increased tuition money of \$770,000 can help with some of the budget concerns. NIC has eliminated clerical positions, delayed hiring, and has cut back on operating and personnel costs. She reported that she is concerned about the negative impact this may have on students. She further reported that it is hard to find faculty to meet instructional challenges and it is getting harder and harder to find adjunct faculty. She explained that advising students is one of the critical services the college provides and they are struggling to find a way to advise all of the students of the growing population. She also reported that the physical campus is also suffering because maintenance has been deferred due to budget cuts. She explained that NIC has had a little alleviation with stimulus money and has used \$660,000 for upgrading technology in their classrooms.

Dr. Bell reported that NIC is looking to the future with optimism. They are working hard to provide for a dual track approach for expansion. She reported that NIC has acquired property north of Coeur d'Alene to build a professional technical facility (KTECH). She further reported that NIC has purchased 40 acres and the school districts have donated 20 acres of land. NIC will work with school districts and has identified industries to establish this facility.

Dr. Bell highlighted the new efforts at NIC, which include doubling the size of the trades and industry programs, implementing the dual enrollment programs in these trades, adding certificate programs, revamping certificate programs, and establishing short term 8 week certificate programs. They also have new offerings in non credit and credit programs and provide scholarships in the professional technical programs.

Chairman Nonini commented that he and the Committee are very supportive of dual enrollment growth but understands these students are filling up courses that freshmen on campus need to take. **Dr. Bell** responded that NIC is doing more to offer dual enrollment in the high schools, which require teachers to have a masters degree.

She explained that they are awaiting connection to the Idaho Education Network which would help with the increasing numbers in the dual

enrollment program and help with class size.

Dr. Bell discussed NIC's cultural impact on the community. NIC provides an avenue for performance arts and is the cultural center of northern Idaho.

In response to a question regarding where NIC could expand to accommodate the growing enrollment, **Dr. Bell** explained that they are seeing an influx of traditional students because NIC is more affordable than other colleges in region. She reported that their residence hall is booked in advance and they are exploring the cost of a new wing. They have also added 2,700 extra seats in their classrooms. She explained that the new KTECH facility that will be built will help to expand the traditional campus.

In response to a question regarding the job placement rate at NIC, **Dr. Bell** explained that she did not have any numbers because there is no longitudinal tracking system. She further explained that according to anecdotal information there is a high employment rate for their programs. NIC often loses students in the middle of a semester because they get a job. She commented that now with tough economic times, this is not the case. More students are now staying for their second year to get their degree or certificate. She reported that every one of the credit professional technical programs has a wait list. **Dr. Bell** explained that the health care industry is growing rapidly in their area. She further explained that NIC is working with the University of Idaho on their effort to establish a water quality program.

In response to a question regarding how the lack of access to advisors have impacted NIC's students, **Dr. Bell** reported that advising makes a difference to students when they are trying to figure out what classes they need to take. She explained that student success increases with having one on one relationships with advisors. She commented that without adjunct faculty, they could not meet the needs of the growing enrollment. She further commented that student engagement is the overall factor in determining success in community colleges. **Dr. Bell** explained that it is a struggle to find adjunct professors because there are few people with masters degrees in northern Idaho and they do recruit in Washington. Idaho pays adjunct professors around \$731 a credit, but Washington pays more.

In response to a question regarding a potential decline in enrollment, **Dr. Bell** explained that about 10 years ago NIC initiated a number of recruitment retention strategies. She further explained that they do not think they will see a decline in enrollment based on the economy in the next couple of years. There is a need for education and training in north Idaho as the community grows.

Rep. Block introduced **Dr. Jerry Beck**, president of the College of Southern Idaho to the Committee. She reported that he has been at the College of Southern Idaho for 35 years, and has been the president for the last 5 years.

Dr. Beck explained that CSI serves 8 counties and 8,300 students in southeastern Idaho.

He reported that CSI has recently developed the environmental tech program, wind energy tech, industrial mechanics tech, dental hygiene, and

culinary arts programs. They have also opened a new building on campus and will receive a \$95,000 check from Idaho Power for the energy efficiency of the new building. He further reported that the CSI Foundation has raised over \$4.6 million in grants. He explained that overall, of the regional population aged 16 and older; 10.6% participated in CSI course work during the 2008 calendar year. He further explained that because of budget cut backs, class size has increased and overtime among staff is common.

Dr. Beck reported that 92% of people in the Magic Valley are employed. He explained that the Southern Idaho Economic Development organization in cooperation with CSI continues to have success in business recruitment despite the economic downturn. He further reported that CSI is proposing a new wind energy building on campus to house the new program. The program opened last fall with 19 students. CSI plans to use \$7 million in stimulus funds for this building.

Dr. Beck also explained that the CSI Foundation awarded \$1,186,012 in scholarships last year. He reported that CSI had the largest internal campaign ever at a time when there were no salary increases. He explained that the college plans to build a bypass road around the campus to alleviate traffic concerns.

Dr. Beck explained that dual credit instruction is highly correlated with future college attendance and completion. He further explained of the 586 students who first earned dual credits from CSI while in high school in the fall 2000; 54% have earned a degree at CSI and/or another higher education institution in the time since. At CSI, there were 1,999 unique dual credit students taking 12,604 credits during the last year. He reported that CSI leads the state in dual credit enrollment. He explained that dual credit students can be counted in different ways. Unduplicated head count went from 957 students to 1,559. In-student enrollment went from 1,381 to 2,222. In-student credits went from 3,705 to 6,470. He explained that the school districts have asked CSI to provide remedial instruction through the high schools so students can pass courses needed for graduation. Dr. Beck reported that CSI has 19 sites for the Idaho Education Network and it is a wonderful opportunity for rural schools to have dual credit.

He reported that due to budgetary cut backs, CSI has been taking advantage of adjunct faculty and the faculty is supportive and understands this. He further reported that every time there is a recession, enrollment goes up. He explained that part time students need child care, class selection, location, and scholarships. Electronic delivery of classes will be a help.

Dr. Beck explained that the state appropriation to community colleges in FY05 was 44.7% of the budget and this year it is 38.7%. He further explained students could pay more at CSI in costs than the state does. He also discussed the county tax fees for community colleges.

He reported that only five counties in the state that make up more than half of people in Idaho are paying a property tax for community colleges, while the other 39 counties are paying \$50 per credit up to \$500 a semester for a

student to attend community colleges. He explained that this rate has been the same for 40 plus years.

Chairman Nonini commented that the property tax issue is important and one for Committee members to be aware of. He further commented that this is going to be a larger issue with the College of Western Idaho than CSI because young people want to move to the bigger cities.

In response to a question regarding county liquor funds, **Dr. Beck** explained that some counties have liquor funds greater than community college funds, and others do not.

In response to a question regarding the number of people claiming residency in other counties, **Dr. Beck** explained that he did not have a firm number, but it is happening in the state and there is nothing in place that allows the college to challenge this. He further explained that every student marks where they are from on a form supplied by the college and if a person goes away for any number of reasons, the county does not pay for them.

Dr. Beck clarified that Ada and Canyon county pay a property tax for community colleges and are not required to pay the \$50 per credit.

In response to a question regarding using dual credit for remedial classes, **Dr. Beck** explained that he is not sure where remedial classes fit. He further explained that dual credit is not a vehicle for remedial classes and CSI will probably do it in a pilot program. He thought that this might be a way to help with the high school graduation rate. He explained that the request came from the district because they did not have the money to set up one class for one student.

Dr. Beck explained that CSI has a strong representation in community in the performing arts and have students who are winning national competitions. He further explained that the performing arts building on campus is booked about 300 days out of the year.

Dr. Cyndie Hammond, from Lewis-Clark State College in Coeur d'Alene addressed the Committee. She discussed the "Idaho Goes" program. She explained that this program brings professional technical education to middle school students. It is made up of a collaborative cooperative team. The website of the organization is: www.idahogoes.org. The goal of the program is to increase college enrollment and public awareness. The mission of the program is to serve the education and training issues of people living in region one and to help students find a pathway to employment. Dr. Hammond explained that the program is not selling a specific institution. The goal is to educate middle school students about options in higher education and professional technical education. She reported that to date, the team from "Idaho Goes" has talked to 375 students. The program is helping middle school students find their path to employment and economic well being.

Dr. Hammond explained that the program makes it's presence known to counselors and offer opportunities to teachers to find out more information.

Because of time constraints, Chairman Nonini explained that if Committee

members had questions for Dr. Hammond to contact her by e-mail at cjhammond@lcsc.edu.

ADJOURN:

There being no further business to be brought before the Committee, Chairman Nonini adjourned the meeting at 11:20 A.M.

Representative Bob Nonini
Chairman

Claudia Howell
Secretary

MINUTES

HOUSE EDUCATION COMMITTEE

DATE: February 1, 2010

TIME: 9 A.M.

PLACE: Room EW41

MEMBERS: Chairman Nonini, Vice Chairman Shirley, Representatives Trail, Block, Nielsen, Wills, Chadderdon, Shepherd (8), Marriott, Thayn, Gibbs, Hartgen, Thompson, Boe, Pence, Chavez, Durst, Chew

**ABSENT/
EXCUSED:** None

GUESTS: Paul Agidius, State Board of Ed.; Mark Browning, SBOE; Elden Wallace; Phil Homer, ID Assoc. of School Administrators; Emma Roemlidt, ICE PAC; George Boland; Benjamin Davenport, Risch Pisca; Suzanne Budge, SBS Assoc. LLC; Bert Marley, ID Education Assoc.; John Watson, Evergreen Educational Group

Chairman Nonini called the meeting to order at 9 A.M.

MOTION: **Rep. Thompson** made a motion to approve the minutes from the January 28th, 2010 meeting as submitted. **On a voice vote, the motion carried.**

Paul Agidius, president of the State Board of Education addressed the Committee. He introduced State Board staff present including **Mark Browning**, Communications Director, **Matt Freeman**, Chief Fiscal Officer, and **Mike Rush**, Executive Director.

Mr. Agidius explained that the State Board of Education provides for the general supervision of all education in Idaho, kindergarten through doctoral programs. He further explained that because of the broad scope of responsibility, it is beneficial to the state. Continuity in governance allows Idaho to save money in administrative costs. He explained that Idaho's Board of Education's staff is one third the size of the state's most comparable neighbor which equates to about \$2.2 million dollars in annual savings.

Mr. Agidius reported that education in Idaho is the fourth largest industry sector in the state, representing nearly 10% of the total employment. He further reported that the value of post secondary education in the state helps attract new companies to come to Idaho.

Mr. Agidius explained that the Board underwent a major transition last year to help refine the Board's ability to concentrate its efforts more directly in areas where it was needed, such as higher education. He further explained that the Board will maintain the necessary oversight and accountability in working with the Department of Education on assessment activities. He further reported that one other area now receiving more focus and showing impressive results is the registration of proprietary schools. The Board office now has the ability to more aggressively pursue

registrations of private colleges and proprietary schools.

He explained that revisions to the budget have been and continue to be the biggest challenge to the Board. He further explained that he believes it is the Board's job to help the Legislature to find solutions and to ensure that their agencies, colleges, universities and the Board office are making the absolute best use of dollars and getting the highest return possible.

Mr. Agidius explained that so far colleges and universities have reached the mandated cuts and holdbacks through aggressive revisions of operating budgets, some elimination of positions and strategic use of reserves. However, as additional cuts and holdbacks are ordered; mandated furloughs may become necessary. The Board is currently in the process of hearing a proposed revision to its policy that would allow the college and university presidents more latitude in implementing such measures should they become necessary. He further explained that the impact of these cuts is more than larger class sizes and fewer section offerings. It is the elimination of complete degree programs. He explained that education is the one thing that can literally change a person's life. Students in Idaho compete with students globally. It is a global marketplace and the state must recognize that education is the key.

Mr. Agidius discussed the Board's performance goals for the upcoming year. These goals include improving the go-to-post-secondary rate, degree completion and keeping access affordable.

In response to a question regarding collaboration with the INL and four year universities, Mr. Agidius explained that they do collaborate in some areas. He further explained that Idaho is at a disadvantage because of the small size of the state compared to other states with larger institutions. He also explained that he would look into this issue and would report back to the committee.

In response to a question regarding what the Board is doing to advocate for higher education, Mr. Agidius explained that he was not sure what more the Board can do to advocate. He further explained that the Board will look closer at efficiencies, because Idaho is a small state, we cannot do everything in all areas. He also explained that regionalism is always a problem. He stated that the approach of the Board is educating the Legislature on the needs and what the consequences are if higher education is cut. He reported that the State Board is the first line of advocates and the House and Senate education Committees are the second line.

In response to a question regarding the University of Idaho eliminating programs, Mr. Agidius explained that cut backs by the University affects the community. He further explained that there are long term implications if the higher education budget is cut.

In response to a question regarding the Board policy of paying the travel expenses to conferences for spouses of the presidents of the University of

Idaho, Boise State University and Idaho State University, Mr. Agidius explained that the Board tried to look at what type of functions should a spouse attend. He further explained the Board policy was written that the spouses travel would be paid for only if there is a reason to attend a conference or meeting, not for just enjoyment.

In response to a question regarding how he would restructure the Board to be more responsive to the needs of the state's institutions, Mr. Agidius, explained that he would not change the way the Board governs now. He further explained that the Board is under staffed for the work that they do, but the staff they now have are very competent.

In response to a question regarding what the Board's feelings are on the proposed legislation regarding employment of university president's spouses, Mr. Agidius explained that he is not sure how one would implement such a policy yet. He further explained that the details on how to evaluate a university president's spouse's performance pose problems for him.

In response to a question regarding enrollment at the state's community colleges, Mr. Agidius explained that there should be more community colleges in the state and the state needs to address this issue. He further explained that there is a need for a true community college in eastern Idaho. He also explained that educators have to quit telling kids that two year degrees or certificates is not an education.

In response to a question regarding Board structure and how it differs from that of other states, Mr. Agidius explained that with the recent restructure and moving some responsibilities to the Department of Education, will help with the advocacy of the higher education issue. He reported that he meets weekly with university presidents and listens to their concerns and then takes those concerns directly to the Board.

John Watson, of the Evergreen Educational Group addressed the Committee. He explained that the Group is a small consulting company, based in Evergreen Colorado. They work with state education agencies, state virtual schools, non-profit organizations and content and technology companies. The company does analysis of and advising on state policies, program evaluations, market research, knowledge dissemination and advising and connecting.

Mr. Watson explained that online learning means many things to many people. Online programs include a supplemental program or full time school. It also could be just one district, multi districts, state, multi-state, national or global. Level of teacher involvement also differs in online programs. Mr. Watson explained that online schools are now present in nearly every state, and Idaho has been among the leading states. He reported that Idaho has been a top 10 state in rankings of online schools. He explained that most, but not all, of the online schools are charter schools. They are continuing to grow and there are now 24 states with online schools. He reported that at the end of 2009, 45 states had online schools and expects that all states will be involved in the next year or two.

Mr. Watson reported that spread of online learning options has not been equal among or within states. He further reported that the Idaho Digital

Learning Academy (IDLA) now has about 14,000 course enrollments. The total number of students in online courses is still small, but the number of students taking one or more online courses is growing rapidly. He also reported that state virtual schools in the last year had about 320,000 course enrollments. He explained that 1 to 2% of students in the nation are taking online courses. He explained that they see the bulk of growth in K-12 online learning in the next several years taking place primarily in districts, whether working in conjunction with existing online schools or on their own. The quality of online teachers has been a cutting edge issue. In most states, data systems are not yet in place to track outcomes of online learning. He explained that 10 years ago it was predicted that 50% of all high school classes would be online within 10 years.

In response to a question regarding outcomes of online learning, Mr. Watson explained that there is data that shows online learning is as good or better than face to face learning. He further explained that online courses are filling a gap for course offerings and providing opportunities. He also explained that online learning means different things at different grade levels. Younger children spend less time on the computer than high school aged students. He also explained that teaching an online course is different than teaching face to face. He explained that there is a need for professional development courses to understand how to establish relationships with students online.

Mr. Watson explained that there are a few states creating laws that require online teachers have to have some level of professional development. He also explained that this field is extremely innovative and would be concerned about mandating an approach that will change over the years.

In response to a question regarding colleges of education developing curriculum to train teachers to teach online courses, Mr. Watson explained that he does see colleges of education starting to implement these types of programs and that there is a need for this.

ADJOURN:

There being no further business to come before the Committee, Chairman Nonini adjourned the meeting at 10:20 A.M.

Representative Bob Nonini
Chairman

Claudia Howell
Secretary

MINUTES

HOUSE EDUCATION COMMITTEE

DATE: February 2, 2010

TIME: 9 A.M.

PLACE: Room EW41

MEMBERS: Chairman Nonini, Vice Chairman Shirley, Representatives Trail, Block, Nielsen, Wills, Chadderdon, Shepherd (8), Marriott, Thayn, Gibbs, Hartgen, Thompson, Boe, Pence, Chavez, Durst, Chew

**ABSENT/
EXCUSED:** Rep. Nielsen

GUESTS: Michael Page, PTE; Kristi Enger, PTE; Richard Ledington, PTE; Phil Homer, ID Assoc. of School Administrators; Kirk Dennis, PTE; Ann Stephens, PTE; Jeffrey Dolifka, intern; Robin Nettinga, ID Education Assoc.; Drew Thomas, Risch Pisca; Bert Marley, IEA; Dr. Art Vailus, ISU, Kent Kunz, ISU

Chairman Nonini called the meeting to order at 9 A.M.

MOTION: **Rep. Chavez** made a motion to approve the minutes from the February 1st meeting as submitted. **On a voice vote, the motion carried.**

Rep. Thompson introduced **Dr. Arthur Vailus**, president of Idaho State University. Dr. Vailus explained that he looks at the role of higher education as being in the knowledge business. He further explained that additionally higher education has two roles, deployment of knowledge by graduating people at all levels of post secondary education and the responsibility to create knowledge to have a national competitive environment.

Dr. Vailus explained that Idaho State University in 2006 only had a few hundred thousand dollars to help and create businesses and currently has over \$5 million annually. He reported that there has been a huge change in the way universities collaborate in bringing in major international businesses in Idaho.

He also reported that ISU is active in providing health care as well as training and teaching students in the health care field. He explained that ISU treats over 29,000 patients a year in collaboration with community hospitals. He reported a new health science center was opened this last year in Meridian and enrollment has increased 47% in the health science field.

Dr. Vailus reported that ISU had 702 graduate students last year. He also reported that they are thinking of ways to improve efficiency. He explained that both efficiency and efficacy is needed. He further explained that ISU is in a dialogue with the Board regarding looking at efficiency and efficacy.

Dr. Vailus reported that ISU has seen a tremendous increase in enrollment and as of end of term, they will have 15,553 students which is over a 12% increase.

ISU has also seen a big increase in students who are veterans. He reported

that ISU was recently given an award for their veteran's sanctuary program. He reported that currently ISU has 12,000 students who are under graduates and 1,270 graduate program students. He further reported that they have the highest graduate enrollment in the state and the highest early college enrollment.

Dr. Vailus reported that ISU has built many alliances and has collaborated with other universities more than ever. He explained that more collaboration and competition is needed. He reported that ISU has had major breakthroughs in the study of medical isotopes marriage between technology and medicine. He also explained that ISU has helped to form the Eastern Idaho Alliance Business Coalition to help existing businesses in workforce needs and alliances with higher education. He reported that ISU has had great collaboration with BYU Idaho.

In response to a question regarding ISU's relationship with the Idaho National Laboratory, Dr. Vailus explained that they have launched interesting things including a faculty hiring program unique to the Department of Energy. He explained that last year they implemented a program to jointly search for key intellectuals to commit to ISU for 5 years, and to the Department of Energy for 5 years. He reported that Idaho has been able to bring other universities to work with Idaho universities through the Center for Advanced Energy Study. He further reported that ISU has workforce development through INL. He explained that the average age of the energy workforce is 55 to 60. He also reported that the federal government has given states \$1.5 million in funding for green energy jobs.

In response to a question regarding if the university is reimbursed for their new developments in medical isotopes, Dr. Vailus explained that the development goes in different stages and first the university has to file a patent to protect the intellectual property, then private investors become involved. He further explained that ISU has a number of national grants that support that application and they do negotiate a royalty contract, and makes sure that Idaho businesses are part of the negotiations.

Ann Stephens, Administrator of the Idaho Division of Professional-Technical Education addressed the Committee. She introduced staff present which included **Nancy Walker**, Associate Administrator, **Kirk Dennis**, Chief Fiscal Officer, **Dick Ledington**, Director of Research, **Kristi Enger**, Career Guidance Coordinator and **Michael Page** Network Specialist.

She explained that PTE's mission is to provide Idaho's youth and adults with technical skills, knowledge and attitudes necessary for successful performance in a highly effective workplace. They also prepare and encourage students to go on with their education. She reported that 80% of Idaho's occupations and careers require less than a four year degree. The delivery system includes, comprehensive high schools, professional-technical schools and a technical college system. She explained that there are many opportunities for students to move in and out of the system to achieve their career goals.

She explained that PTE has developed a career planning guide for high

school students and provided copies of this guide for Committee members.

Ms. Stephens explained that PTE programs include state leadership and technical assistance, general program, post secondary program, under prepared adult/displaced homemakers program, and related services. Under general programs with high school PTE programs and professional technical schools, they receive \$3.7 million in federal funds to improve high school programs. She explained that PTE is offered in almost every school district in the state and high school PTE programs are rigorous. She reported that high school PTE classes have to adhere to industry standards and 28 PTE classes count for academic credit. They are working on expanding math initiatives including technical math, business math, and personal and family finance.

Ms. Stephens reported that there are PTE post secondary programs at the College of Southern Idaho, the College of Western Idaho, Eastern Idaho Technical School, Idaho State University, Lewis-Clark State College and North Idaho College.

Ms. Stephens explained that PTE programs are successful and positive placement means the student is either getting a job, entering the military or goes on to continue their education.

PTE related services include adult basic education. She reported that last year 4,100 people completed their GED. Ms. Stephen reported that currently there are 69,106 Idahoans without a job and workforce training programs respond to changing needs in this economic climate.

Ms. Stephens discussed the PTE budget with the Committee. She explained that the majority of the PTE budget is state general funds and over 95% of the PTE appropriation is used for direct educational services. She explained that tuition paid by PTE students is retained by the institution and is not included in their budget. She explained that the Governor's budget recommendations would make PTE fall below the maintenance of effort level for their federal grant established by the federal government.

In response to a question regarding the possibility of falling below the federal maintenance level and losing federal dollars, Ms. Stephens explained that currently the state receives \$7.3 million in a federal grant and a certain amount of that grant would have to be paid back if the state fell below the maintenance level.

In response to a question regarding career counseling in middle schools for professional technical programs, Ms. Stephens explained that PTE has developed the career planning guide for students in their first year of high school. She further explained that the earlier students have information the more it helps in deciding what courses they want to take academically and to be better prepared. She reported that PTE does provide training for counselors and have also asked PTE teachers to provide information to students.

In response to a question regarding PTE's need to meet budgetary constraints by not filling vacant positions, Ms. Stephens explained that the

positions are currently in the budget and now staff is picking up additional responsibilities rather than doing furloughs. She explained that the positions have not been filled due to the economy.

In response to a question regarding the Governor's budget recommendations and the possibility of not meeting the maintenance of effort for the federal grant, Ms. Stephens explained that the federal funds have already been distributed for this year. She further explained that the 100% maintenance of effort is unusual for federal grants. She explained that if the state spends less than the year before, the state fails the maintenance of effort. She reported that next year if the Governor's recommendations pass, PTE would be spending less than this year and will fail the maintenance of effort. PTE's Fiscal Officer, **Kirk Dennis** explained that the maintenance of effort is a requirement of federal law. He further explained that if general fund expenditures are reduced any more it will mean that PTE will fail and will have to pay back some of the \$7.3 million grant to the federal government. Ms. Stephens explained that other states are in the same position. She further explained that states are not allowed to apply for a waiver until after they receive their appropriation.

In response to a question regarding how the personal finance classes are offered in high school, Ms. Stephens explained that it depends on the school district as to what courses are offered and the personal finance class would be an option.

In response to a question regarding if some of the PTE classes would be canceled if PTE has less money in their budget, Ms. Stephens explained that elective classes are the first to go and with cuts they will lose some programs.

In response to a question regarding students getting courses in the expected time frame, Ms. Stephens explained that PTE programs would be funded and there is a commitment at the post secondary level that the courses will be available. She explained that with budget cuts, access will be affected.

ADJOURN:

There being no further business to be brought before the Committee, Chairman Nonini adjourned the meeting at 10:10 A.M.

Representative Bob Nonini
Chairman

Claudia Howell
Secretary

MINUTES

HOUSE EDUCATION COMMITTEE

DATE: February 3, 2010

TIME: 9 A.M.

PLACE: Room EW41

MEMBERS: Chairman Nonini, Vice Chairman Shirley, Representatives Trail, Block, Nielsen, Chadderdon, Shepherd (8), Wills, Marriott, Thayn, Gibbs, Hartgen, Thompson, Boe, Pence, Chavez, Durst, Chew

**ABSENT/
EXCUSED:** None

GUESTS: Harold Ott, ID Rural Schools Assoc.; Harv Lyter, State Board; Peter Kavouras, Dept. of Ed.; Scott Smith, Dept. of Ed.; Tim Hill, Dept. of Ed.; Sharon Sebring, IEA; Vicki Downive, IEA; Robin Merrifield, IEA; Chris Bain, IEA; Patrick Karr, IEA, Paula Karr, IEA; Tracie Bent, State Board; Mark Browning, State Board; Bert Marley, IEA; Julie Pipal, IEC; Karen Echeverria, School Board Assoc.; Jacque Truax, Vocational Rehabilitation; Michael Graham, Vocational Rehabilitation; Ed Hawley, Administrative Rules, Dennis Stevenson, Dept. of Administration; Zach Arama, University of Idaho; Colby Cameron, Sullivan & Reberger; Pat Sullivan, Sullivan & Reberger; Rob Sauer, Dept. of Ed.; Emily Anderson, Governor's Office; Todd Hardy, IEA

Chairman Nonini called the meeting to order at 9 A.M. and welcomed a group of teachers from districts 1 through 5 from northern Idaho. He explained that the Committee would consider the rule dockets this morning and explained that Committee members had a list of the dockets, page numbers and subcommittee recommendations in their folders. He also explained that the subcommittee reports were made to the full Committee on January 20th and members could refer to the minutes of that meeting for more information.

**Docket
08-0202-0901:**

Chairman Nonini explained that this docket is from the Department of Education and deals with teacher performance evaluations. **Rep. Gibbs** reported that this docket was heard in his subcommittee and there was considerable debate. He further reported that the subcommittee did recommend approval to the full Committee on a 3 to 2 vote. **Rep. Chavez** commented that this Docket is a remarkable piece of rule making and worthy of being implemented; but it has a price tag. She explained that districts already have evaluation tools in place and districts that do not have this model will be slammed in order to get this to go. She explained that the \$10,000 price tag would be pushed out to the districts. She explained that she felt it is an unfunded mandate.

Rep. Trail commented that he has talked to a number of superintendents of smaller districts and they support this concept but view it as an unfunded mandate.

Supt. Tom Luna responded to the questions raised by Committee members.

He explained that the fiscal impact would be less than \$10,000 and it has not yet been identified. He further explained that when the Department was debating pay for performance for educators; they realized that there was not a consistent form for evaluating teachers in the classroom. They did a thorough investigation to see what districts are doing and consistency was not there. He explained that in the process of developing a teacher evaluation plan, the district developed framework so districts could develop their own plans. He further explained that the Department used the "Danielson" model for teacher evaluation. He explained that the Department recognized that some districts would have the funding for evaluations and some would not. He reported that on the Department's website there are examples of evaluations for smaller rural districts and some for larger districts. A district can choose a plan to fit their needs. Mr. Luna explained that federal funds could cover the cost of teacher training and professional development.

In response to a question regarding the federal grant, "Race to the Top", Mr. Luna explained that there are funds in the grant that deal with pay for performance for teachers and not teacher performance evaluations.

Rep. Wills commented that he felt the Committee is negating the work of the subcommittee if each individual rule docket is discussed by the full Committee.

MOTION: **Rep. Wills** made a motion approve **Dockets 08-0202-0901, 08-0202-0902, 08-0202-0904, 08-0202-0906, 08-0202-0907, 08-0203-0902, 08-0203-0903, 08-0203-0905, 08-0203-0906, 08-0203-0907, and 08-0203-1001**; all rule Dockets of the Department of Education with the exception of **Docket 08-0202-0903** which the subcommittee had no recommendation. **On a voice vote, the motion carried.** Representatives Boe, Chavez, Pence, Chew and Trail voted **NAY**.

Rep. Thayne explained that the State Board of Education rule dockets were heard in his subcommittee. He further explained that concerns were resolved with **Docket 08-0111-0901**.

MOTION: **Rep. Thayne** made a motion to approve **Dockets 08-0104-0901, 08-0111-0901, and 08-0114-0901**. **On a voice vote, the motion carried.**

MOTION: **Rep. Thayne** made a motion to approve all of the rules from the Idaho Commission for Libraries; **Dockets 30-0101-0901 and 30-0101-0902**. **On a voice vote, the motion carried.**

MOTION: **Rep. Thayne** made a motion to approve **Docket 47-0101-0901** from the Idaho Division of Vocational Rehabilitation. **On a voice vote, the motion carried.**

Docket 32-0101-0901: **Rep. Gibbs** explained that this is the rule from the Endowment Fund Investment Board. He reported that his subcommittee voted unanimously to reject this rule docket. He further reported that there is pending legislation to address topics in this rule.

MOTION: **Rep. Gibbs** made a motion to reject **Docket 32-0101-0901**. **Rep. Wills** voiced his concern that by rejecting this rule it will make it tougher for school

districts than with the rule. **Chairman Nonini** reported that he has talked with representatives from the Endowment Fund, and he understands that they have an agreement on hard costs, but will work on an agreement on soft costs. He further reported that the Board has a fiduciary responsibility are they are trying to recoup some of the soft costs. **Rep. Gibbs** reported that the Endowment Fund did have an Attorney General's opinion which caused some concern. He explained that the Endowment Board feels that AG is telling them that they must collect a fee on their investments. He further explained that there is proposed legislation addressing this issue. He explained that the issue is how school districts will be affected in the short term using this fund.

Karen Echeverria, representing the Idaho School Board Association reported that there are a couple of school districts that want to use this fund and the Endowment Board has said they will not change the fee at this time.

On a voice vote, the motion carried.

**Docket
08-0202-0903:**

Rep. Thayn reported that his subcommittee did not give a recommendation of this rule docket because they had some concerns about the social studies endorsement. He further reported that the subcommittee felt that the additional requirements for the endorsement would put an additional burden on teachers.

Luci Willits, from the Department of Education commented that the concern was more about the requirements for a social studies endorsement. She explained that social studies is a broad area and requires knowledge in many areas.

MOTION:

Rep. Thayn made a motion to accept **Docket 08-0202-0903**. **Rep. Chavez** expressed her concern that this endorsement will cost money to the teacher who needs to get this endorsement and it would be an out of pocket expense.

In response to a question regarding why sociology and psychology were eliminated in the social studies endorsement, **Luci Willits** explained that this was the recommendation from teachers from the content area. She further explained that the Department is trying to align to federal guidelines.

Peter Kavouras, the Department of Education Social Studies Coordinator explained that the new social studies endorsement would make the teacher highly qualified under the No Child Left Behind federal law.

Rep. Thayn reported that there was no testimony against this docket in the subcommittee, just concerns from the subcommittee members. He further reported that the members were only concerned with this part of the docket.

Luci Willits clarified that the social studies endorsement does not affect individual endorsements such as history.

Nick Smith, from the Department of Education explained that the social studies endorsement is needed in rural districts. With this endorsement,

districts can hire someone that would be qualified to teach in several areas.

Christina Linder, from the Department of Education explained that the Department has been battling with the feds regarding highly qualified endorsements. She further explained that they currently do not have any urgency to go out and force teachers to get this endorsement.

On a voice vote, the motion carried. Rep. Chavez voted NAY.

Tim Hill from the State Department of Education discussed the Public School Funding formula with Committee members. He explained that he is not an educator, but a former banker. He explained that his job is not one of policy, but one of dissemination of knowledge. He explained that for the most part, all districts are funded with the same formula. He further explained that there are three main reasons that revenues for Average Daily Attendance vary including; the size of the district, who the districts hires, and the mix of students.

He explained that Public School Funds come primarily from state general funds and are supplemented by federal funds and state dedicated funds. He reported that Public Schools funds are about two-thirds of the state budget.

Mr. Hill explained that Average Daily Attendance (ADA) is calculated from data provided by public schools. There are three reporting periods that include the first Friday in November, the first Friday in March and the last day of school. A day of attendance is defined in State Board of Education rules and is basically a minimum of 2 ½ hours for kindergarten students and a minimum of 4 hours for grades 1 through 12. He 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 converted to Support Units. The divisors take the size of the school district or charter school into consideration. That is, the larger the ADA, the larger the divisor; the smaller the ADA, the smaller the divisor. He explained that in other words, smaller programs will require less ADA to generate a support unit, and larger programs will require more ADA to generate a support unit. This results in more funding per student for smaller programs, taking into consideration smaller class sizes that still require full-time staffing costs.

Mr. Hill explained that the divisors also are a factor in how much is distributed by grade category. He further explained that the state sends out about \$2,000 per kindergarten student, \$4,000 per elementary student, and about \$5,000 for high school students. He explained that virtual charter schools still capture daily attendance. He further explained that schools do receive a share of transportation reimbursements that capture the costs of internet connections and hardware.

He explained that if a school district's attendance drops below that from a previous year the districts receive less money. Schools that lose attendance from the previous year are given 99% from their allotment of the previous

year. Mr. Hill explained that about one third of the districts are losing population.

Mr. Hill discussed the experience and education multiplier. He explained that who the district hires drives how much money they will receive. He further explained that each instructional and administrative staff position is assigned an appropriate multiplier based upon the experience and education table.

In response to a question regarding when the districts receive payments, Mr. Hill explained that the state sends out 80% of the district's money before they have any current data and the February payment is the first payment with current data. He explained that 90% of the payment is a function of ADA.

Mr. Hill explained that he did not know what the funding formulas are in other states.

Chairman Nonini thanked Mr. Hill for his informative presentation. He encouraged Committee members to contact Mr. Hill with any additional questions. Mr. Hill introduced staff members present which included School Finance Coordinators **Greg Berg** and **Julie Oberle**.

ADJOURN:

There being no further business to be brought before the Committee, Chairman Nonini adjourned at 11:00 A.M.

Representative Bob Nonini
Chairman

Claudia Howell
Secretary

MINUTES

HOUSE EDUCATION COMMITTEE SENATE EDUCATION COMMITTEE

DATE: February 4, 2010

TIME: 3 P.M.

PLACE: Room WW 02 Senate/House Auditorium

MEMBERS: Co-Chairman Nonini, Vice Chairman Shirley, Representatives Trail, Block, Nielsen, Chadderdon, Shepherd (8), Wills, Marriott, Thayn, Gibbs, Hartgen, Thompson, Boe, Pence, Chavez, Durst, Chew

Co-Chairman Goedde, Vice Chairman Mortimer, Senators Schroeder, Andreason, Pearce, Flucher, Winder, Malepeai, Kelly

**ABSENT/
EXCUSED:** Vice Chairman Shirley, Rep. Wills

GUESTS: Jan Sylvester, ID PTA; Sarah Fuhriman, Roden Law Firm; Mark Browning, State Board, Harold Ott, ID Rural Schools Assoc.; Bert Marley, IEA, Jayson Ronk, ID Assoc. of Commerce & Industry; Emma Roemhildt, ICE-PAC; Phil Homer, ID Assoc. of School Administrators; Wayne Davis, IASA; Martin Bilbao, Connolly Smyser; Roger Brown, Office of the Governor; Drew Thomas, Risch Pisca; Tom Luna, State Dept. of Ed.; Luci Willits, SDE

Co-Chairman Nonini called the meeting to order at 3:10 P.M.

Tom Luna, Superintendent of Public Instruction addressed the joint committee and introduced his wife, Cyndi. He discussed the FY 2011 Public Schools Budget with the joint Committee.

He explained that 10 years ago Idaho started an educational journey, which began to focus on results rather than input. He further explained that educators worked on achievement standards and developed the ISAT assessment. The Department then began to address issues and needs that this assessment addresses. He explained that the reading and math initiatives were started.

Supt. Luna reported that he presented his budget to JFAC last week. He explained that three years ago he requested more state money and promised at that time to report back to the Legislature if more students were getting the help they needed. He reported that the evidence is more than clear and the State's investment is paying off. Since 2007, the number of schools making Average Yearly Progress (AYP) went from 26% to 66%. He reported that for the past two years, Idaho has led the nation in increasing AYP. He explained that in order to meet AYP, the school has to meet 41 achievement indicators. He explained that improvement has not been limited to any one region, it has been statewide. He further explained that programs clearly had an impact on classrooms across the state.

Supt. Luna reported that the Idaho Math Initiative is a statewide effort and

includes teacher training, remediation to students who struggle, opportunities for advancement to students who excel, and improvements to statewide math assessments. He reported that in the first two years, 4,000 teachers have completed the Math for Critical Thinking course and 35,000 students have received assistance through the Apangea math program.

Supt. Luna also reported that the Department's Reading Initiative has been in place since 2000. He explained that Idaho has gained national recognition for school improvement. He further explained that student achievement is higher.

He testified that based on Governor's education budget recommendations, the state is faced with a \$90.4 million dollar shortfall. Supt. Luna explained that the guiding principles in his budget preserve teacher student contact hours and preserves those programs that get into the classroom and have the most immediate positive impact on student achievement.

Supt. Luna testified that in order to address budget issues, the Department is asking for \$52.8 million of the Public Schools Earning Reserve Fund. He explained that this fund was created 10 years ago and prior this money was distributed to schools. He reported that this Reserve Fund has a balance of \$90 million. He further explained that he is asking for a one time draw down of this excess reserve fund and it is consistent of the principles of trust law. He explained that in addition to the endowment source, he is proposing to take \$3.3 million in dedicated funds from Driver's Training fund and \$2.2 from the Safe and Drug-Free Schools fund. This would be a total \$58.3 million in new revenue for the Public Schools budget.

Supt. Luna explained that with the proposed new revenue, the state is still facing a shortfall. He explained that he is proposing to continue to freeze the experience movement on the salary funding grid for a second year for a total savings of \$6.1 million; eliminate the Early Retirement Incentive program for a total savings of \$2 million; eliminate transportation reimbursement for field trips for a savings of \$1.4 million; reduce classroom supplies from \$300 to \$200 per teacher for a savings of \$1.6 million; eliminate the 99% average daily attendance protection, a savings of \$5 million and combine funding for technology and textbooks into one line item, reduce to \$6 million and give districts the flexibility to spend funding on either of these needs as they see fit for a total savings of \$9.1 million. He testified that there would be a total of \$83.5 million with new revenues and the targeted reductions.

He further explained that he is also proposing a 3.74% across the board budget reduction to the following programs; transportation, exceptional contracts/tuition equivalents, programs for expectant or delivered mothers, salaries and state-paid benefits, Idaho Digital Learning Academy, Idaho Reading Initiative, Limited English proficiency, Gifted & Talented, ISAT remediation, Math Initiative and discretionary funds.

In response to a question regarding the target number, Supt. Luna explained that \$135 million is the target number from the Governor, but the numbers

may be lower. He further explained that he is recommending that the line items be cut more than 3.7% to adjust to this. In response to a question regarding how districts are coping with possible mid year hold backs, Supt. Luna explained that some districts have little or no reserve funds. He further explained that some districts said that they want hold backs now, and then deal with less of a cut next year. He stated that a lot of districts are looking at how to get through the next 18 months.

In response to a question regarding carry over money, Supt. Luna explained that some districts do not have any and some have more. **Tim Hill** from the Department of Education reported that they will have the 2009 numbers in a few weeks.

Sen. Andreason voiced his concern over cutting the early reading initiative and the digital learning program by 3.74%. Supt. Luna responded that he is concerned about these programs also.

In response to a question regarding the need for the expectant or delivered mothers program, Supt. Luna explained that he had not studied this program in detail. He further explained that he will look closely to see if there is duplication of effort.

In response to a question regarding the authority to draw funds from the Public Schools Earnings Reserve fund, Supt. Luna explained that the Idaho Constitution gives the Land Board authority over these earnings and it would take a majority vote of the Board.

In response to a question regarding the possibility of increasing the tax commission staff to recover possible extra monies, Supt. Luna explained that he is not familiar with the full proposal, but he does support the idea that the State should look under every rock and shake every tree for additional monies.

In response to a question regarding the savings from eliminating the teacher's early retirement, **Jason Hancock**, from the Department of Education explained that last year there was legislation reducing the teacher's early retirement from \$4 million to \$2 million, but the statutory language did not pass. If the early retirement is eliminated it would be a \$2 million dollar savings to the State.

In response to a question regarding how funds are distributed to schools from the State, Supt. Luna explained that the State has developed a funding formula for the school districts to address inequities in districts. He further explained that the State wants every student, no matter where they live, to have access to a quality education. Supt. Luna explained that he does not want to do away with the reading or math initiative to save the State money. He further explained that these are not the types of programs that can be stopped and resumed at another time. He reported that it is better to reduce all programs an equal percentage.

Supt. Luna explained that the Land Board is scheduled to meet on February 10th to consider this issue.

Supt. Luna then discussed the Idaho Education Network (IEN). He explained that students and teachers from the Weiser and West Side School Districts would be participating in today's meeting via the IEN. (Powerpoint presentation is attached). Supt. Luna explained that high school students no longer view their teacher as their only source of knowledge. He reported that the IEN can impact the community. He explained that implementation is currently in phase one and no state dollars are used for the IEN.

Dave Davies, Principal of Weiser High School addressed the joint Committee via the IEN. He reported that his school has been using the IEN for about three years. He further reported that before students were able to take dual credit courses through the IEN, they were questioning if they could go to college, and now they can take college classes for \$65/credit. He further reported that his students can also take psychology from a teacher in Emmett and prior to IEN they were not offered this class. He explained that Emmett has used the IEN to offer community classes and public service classes also. He reported that the IEN is important to students at Weiser High School and he would like to see it continue and expand.

Melissa Waddoups, Curriculum Director at West Side High School also addressed the joint Committee via the IEN. She explained that dual enrollment is a way of life and an expectation for the students at her high school. She explained that West Side High School has about 45 to 50 students per grade, and over 50% of the students are on free and reduced lunches and come from economically disadvantaged families. She reported that over 95% of students at her school graduated with college credits. The students from her school have earned over 800 credits, averaging about 13 college credits per student. She explained that dual enrollment increases academic rigor and offers flexibility for school districts. Dual enrollment also accommodates the needs of students. She reported that a student can earn a full associate's degree for \$3,000 with dual enrollment and to earn that same degree on a college campus would cost \$13,000.

Bryn Cook, a student who graduated last year from West Side High School and who is now a sophomore at Utah State University addressed the joint Committee via the IEN. She explained that she graduated from high school with 30 college credits and was able to save a major amount of money by earning these credits while still in high school. She further explained that dual enrollment prepared her for the rigor of college classes. She explained that she had an easier transition going into college because of dual enrollment. She knew what to expect in classes and it has given her more of a sense of direction as to what she wants to do with her life.

Ms. Waddoups explained that before they had access to the IEN, they had to cross the border into Utah to get what they needed for their students in dual enrollment. She further explained that she looks forward to working with Idaho universities and the IEN has helped to connect with Idaho universities.

In response to a question as to how students interact with their teachers on the IEN, **Mr. Davies** explained that the students have a split screen, with the teacher and a picture of other classrooms participating in the class. He explained that site facilitators are very important in determining the success of program. He further explained that there is a lot paperwork and communication required. Students know they are responsible for high school

class work as well.

In response to a question regarding what the IEN has provided that was not available before, **Ms. Waddoups** explained that the IEN allows her school to better connect to the state of Idaho. **Mr. Davies** explained that with the IEN there is no limit to the number and types of classes students can take. He explained that the only limitation is that there has to be at least one other student in the class.

Co-Chairman Goedde commented that he would like to have **Supt. Luna** back at a later date to answer additional questions about IEN.

Supt. Melvin Buetler, superintendent of the West Side School District addressed the joint Committee. He explained that his district has been participating in dual enrollment for the past ten years and he testified that is good to see that Idaho has come on board with the IEN to offer this important program. He reported that every one of the state's high schools could be a junior college. He further reported that he previously had a problem with students leaving his school district to get a better curriculum in a larger district and now with the IEN, students are coming to their district for the curriculum. He explained that with the IEN, schools can offer the rigor of college classes while in high school. **Co-Chairman Nonini** commented that there is a need to provide this to all Idaho students.

Supt. Luna thanked the joint Committee for the opportunity to present his budget and the Idaho Education Network. He explained that the IEN is a direct result of the rural high school task force and allows equal education for all Idaho students as long as they are willing to do the work.

ADJOURN: There being no further business to be brought before the joint Committee, **Co-Chairman Nonini** adjourned the meeting at 5:05 P.M.

Representative Bob Nonini
Co-Chairman

Claudia Howell
Secretary

Senator John Goedde
Co-Chairman

MINUTES

HOUSE EDUCATION COMMITTEE

- DATE:** February 8, 2010
- TIME:** 9 A.M.
- PLACE:** Room EW41
- MEMBERS:** Chairman Nonini, Vice Chairman Shirley, Representatives Trail, Block, Nielsen, Wills, Chadderdon, Shepherd (8), Marriott, Thayn, Gibbs, Hartgen, Thompson, Boe, Pence, Chavez, Durst, Chew
- ABSENT/
EXCUSED:** None
- GUESTS:** Benjamin Davenport, Risch Pisca; Wayne Rush, Glens Ferry School District; Sherri Wood, ID Ed. Assoc.; Emma Roenhildt, ICE-PAC; Jessica Harrison, ID School Boards Assoc.; Zach Arama, ASUI; Jason Hancock, Dept. of Ed.; Mark Browning, State Board of Ed.; Robin Nettinga, IEA; Phil Homer, ID Assoc. of School Administrators; Suzanne Budge, SBS Advisors LLC; Jeremy Pisca, Risch Pisca; Roger Brown, office of the Governor; Michael McEvoy
- Chairman Nonini called the meeting to order at 9 A.M.
- MOTION:** **Rep. Chavez** made a motion to approve the minutes from the February 2nd, 2010 meeting as submitted. **On a voice vote, the motion carried.**
- MOTION:** **Rep. Thompson** made a motion to approve the minutes from the February 3rd, 2010 meeting as submitted. **On a voice vote, the motion carried.**
- RS 19307C2:** **Rep. Thayn** presented this RS to the Committee. **Rep. Durst** is the co-sponsor of this proposed legislation. Rep. Durst explained that they have been working on the proposed legislation for the past 6 months and have solicited input from stakeholders including the State Board. He explained that the purpose of this legislation is to create the Master Advancement Pilot Project (MAPP), which will provide school districts and students the opportunity and incentive to move more rapidly through the educational curriculum.
- MOTION:** **Rep. Shepherd** made a motion to introduce **RS 19307C2**. **On a voice vote, the motion carried.**
- Rep. Trail** introduced **Dr. Duane Nellis**, president of the University of Idaho. He introduced **Marty Peterson** from his staff. Dr. Nellis explained that he wants to be visible around the state. He further explained that the U of I must be innovative during these challenging budget times. He explained that there are a lot of opportunities to focus on what they do best. There is a need to be innovative to remain in charge of their own destiny. There is also need to take advantage of networking and shared enterprises. He reported that the U of I partners with the Idaho National Laboratory to bring greater dollars to the state.
- He further reported that researchers from the U of I have recently developed

new varieties of wheat which will help to Idaho to compete in the international wheat market.

Dr. Nellis reported that the University is trying to work on ways to pool resources with other universities and businesses in the state to increase the research level and they are scaling up research proposals even during these difficult times. He reported that there has been a 31% increase in requested funds in research for a total of \$44 million.

Dr. Nellis testified that the U of I's strategic innovation initiatives include; enhancing recruitment and retention, growing research and scholarship, building the University statewide, continuous improvement and cultivating a respectful culture.

Dr. Nellis reported that the University's budget has been reduced in FY 2009 and FY 2010 by a total of \$22 million. He further reported that the Governor has recommended that the \$10 million for the Livestock Center not be funded. He explained that the University recognizes the need to be more efficient. The University has implemented travel freezes, hiring freezes, a reduction of 77 positions, delayed \$200 million in deferred maintenance, and the elimination or consolidation of over 45 programs.

He reported that the freshman class consisted of 1,730 students this last year with an average GPA of 3.38. He further reported that the University is reaching out to first generation college going students. He also reported that in 2009 there were 125 freshmen who were presidential scholars for a total of 434 at the U of I. He testified that for the past five years, the U of I has enrolled 79 of the state's 93 National Merit Scholars.

Dr. Nellis reported that in order to compete as a state we need more students in Science, Technology, Engineering and Math (STEM) education and we are not competing with other nations. He reported that China is turning out four times the number of engineers than the U.S. Dr. Nellis explained that one-third of the degrees awarded at the U of I were in STEM areas.

Dr. Nellis testified that the retention rate at the University is 77% above that of our national peers. He explained that one of his goals is to raise that rate by 6% in the next few years. He further testified that the U of I has significantly higher graduation rates than the other universities in the state. He reported that 76% of their student athletes get their degree, which makes them the highest in the Western Athletic Conference.

He reported that the University has generated \$89 million in competitive research dollars and this brings in 74% of all competitive research dollars in the state.

In response to a question regarding what the biggest obstacles are in having students obtaining their degrees in four years, Dr. Nellis explained that some students change majors, some because of financial reasons, drop out then come back and some students take less hours.

He further explained that he is looking at the University's minimum hours for accreditation and also looking at curriculum to make sure it is effective to

make sure students graduate on time. He explained that the University has very few students who require remedial education.

In response to a question regarding the challenge of increased enrollment and cutting programs, Dr. Nellis explained that the University is looking strategically at core classes offered. He further explained that he worries about the ability to continue to offer quality education. He reported that the University is trying to be more efficient, but it puts pressure on the remaining staff. He explained that he worries that the University is at the threshold which could potentially delay opportunities for student's success.

In response to a question regarding the possible cancellation of the line item of \$10 million for the Livestock Center, Dr. Nellis explained that the Center was to be located in the Twin Falls area and the University had already bought land. He reported that the value of the land owned by the U of I in the Treasure Valley is now valued considerably less and that the sale proceeds were going to the Livestock Center. The dairy industry is suffering significantly. He further reported that Idaho's milk and cheese production is second in the nation and will be an important part of the future of the state. He reported that there is a need for this facility to remain competitive in this industry. He reported that instead of eliminating the \$10 million in funding, it would be helpful to keep a fraction of that appropriation so this center could be phased in over the next several years.

In response to a question regarding concurrent education and how it relates to the University, Dr. Nellis explained that he feels that dual enrollment is very important and the key is do it in a quality way. There is also a need to make sure the rigor and quality is there.

In response to a question regarding collaboration with other universities in the state and the concern that some programs may be diluted, Dr. Nellis explained that the U of I has a great level of cooperation with other universities across the state. The University also partners with community colleges and the key is to be complementary rather than over lap programs. He questioned if there is a need for three Colleges of Engineering in the state.

In response to a question regarding the University's law school classes in Boise, Dr. Nellis explained that the plan is to offer third year law classes in Boise beginning this fall. Over 20 students have been recruited and the classes will be housed in the U of I's Water Building in Boise. He also explained that these classes will complement the existing program, not replace it. He further explained that he wants to expand these classes and eventually have all three years of law school available in the Treasure Valley. He reported that the hope is that the capitol annex building could be remodeled for use by the law school. He reported that the U of I's law school is ranked in the top ten in the nation in quality and cost.

In response to a question regarding the reason for the increase of research proposals by the University, Dr. Nellis explained that the U of I has recently hired a new faculty member who has been aggressively pursuing research proposals.

Other reasons for the increase include greater incentives and the proposals are more user friendly. He explained that there is about a 20 to 25% yield on competitive research proposals and it takes about 8 months to find out which

proposals will be awarded.

In response to a question regarding what can be done to encourage more students to go into engineering and science fields, Dr. Nellis explained that students in younger grades need to be encouraged to be interested in science education. There is a need for more money to bring young students on University campuses to research labs and plant the seed to get them excited about these fields.

Chairman Nonini encouraged Dr. Nellis to talk to the Finmans in northern Idaho regarding their North Idaho Robotics Association. Chairman Nonini explained that the Finman's have committed \$20,000 of their own money for scholarships for high school seniors in the science and math fields.

In response to a question regarding virtual education at the U of I, Dr. Nellis explained that there are many opportunities for this at the University and one of the strategic innovations surrounds online learning. He further explained that online learning has to be interactive and planned carefully. He further explained that it takes a significant amount of staff time to do it right.

Dr. Donna Hutchison, CEO of the Idaho Digital Learning Academy (IDLA) addressed the Committee. She provided notebooks for the Committee members that included a flyer with course offerings, district enrollment data, response to the Governor's memo, cost savings to the state, and a letter of support from the School Boards Association and the Idaho Education Association. She introduced **Wayne Rush**, superintendent of the Glenss Ferry School District and **Ben Merrill**, principal of Notus Jr-Sr. High School.

Dr. Hutchison explained that the IDLA was formed in Idaho Code in 2002 to provide choice, accessibility, flexibility, quality and equity. She further explained that they had not anticipated their fast growth. She reported that they have seen a 48% increase in enrollment this year over the previous year. She further reported that IDLA is in nearly in 100% in all of the Idaho school districts. She explained that IDLA is the leader in online education for the rest of the nation.

Chairman Nonini was called out to another meeting and turned the gavel over to **Vice Chairman Shirley**.

Wayne Rush, Superintendent of the Glenss Ferry school district addressed the Committee. He discussed how IDLA is delivered in Glenss Ferry. He explained that his district has the fifth highest youth poverty rate in Idaho. He further explained that in the past 10 years, his district has lost 30% of their students. He reported that since 2005 his district has eliminated 25% of their teachers and programs. He explained that IDLA allows Glenss Ferry to offer rich and rigorous course offerings with highly qualified teachers and the support to deliver programs.

Ben Merrill, principal of Notus High School addressed the Committee. He reported that about 70% of students at his school is on free or reduced lunch program.

He explained that students take IDLA courses that are not offered by Notus High School at the "Pirate Academy", which is a room within the school

building.

He explained that without IDLA, Notus High School could not offer any math course higher than Algebra 2, any science course higher than biology, any foreign language, any advanced placement placement or dual credit course, any course for credit retrieval without guaranteeing a fifth year in high school and ISAT intervention/preparation offered through IDLA. Mr. Merrill explained that IDLA is a tool to level the playing field.

Supt. Rush addressed the Committee. He explained that asynchronous learning is learning that can take place any time versus synchronous learning which is video conferencing. He explained that he believes in the asynchronous system because they are able to offer up to 90 credits a trimester. With synchronous learning only 15 credits could be offered a trimester.

Supt. Rush explained that without IDLA; in order to offer 154 credits with 30 different courses it would cost the district \$154,000. With IDLA; the cost is \$27,700 per year.

Supt. Rush reported that if IDLA was not a line item fund, you would take the \$5 million and divide it through the funding formula; Glenns Ferry would receive \$10,734. He explained that line item funding is the best way to operate the system. He further explained that IDLA is a perfect example of how consolidation works.

Dr. Hutchison discussed funding of IDLA . She explained that there is a formula used that for every enrollment, they receive additional funds. This calculation is based upon salary-based apportionment. She further explained that there is a \$50 fee to districts per enrollment (the original fee was \$100).She reported that the funding for IDLA is less than .5% of the total education budget. She explained that IDLA has eliminated new positions and delayed hiring, reduced travel costs, no salary increases for the last two years, increased electronic transactions, generated revenue opportunities and balanced between demand/growth and budget. She further reported that IDLA is saving the state approximately \$3.9 million dollars a year.

Dr. Hutchison reported that she was shocked to hear the Governor recommend cutting funding for IDLA. She explained that IDLA started with 700 enrollments in 2003 and now has over 14,000 enrollments. She explained that IDLA works and is efficient and is making a difference in the lives of students.

In response to a question regarding why the state should continue to fund IDLA when other private online providers charge less money, **Dr. Hutchison** explained that IDLA provides a lot of other services than just curriculum. **Supt. Rush** explained that it is not just about going out and buying great curriculum, but there has to be a combination of great teachers and a great delivery system. He further explained that it takes a statewide effort and there is a need for all of the other mechanisms to make it work.

In response to a question regarding how teachers work with the IDLA curriculum. **Mr. Merrill** explained that instructors provided by IDLA are highly qualified and are the best of the best in Idaho. **Supt. Rush** explained that it is important to have a highly qualified teacher to deliver the curriculum to guide their students.

In response to a question regarding the role of the IDLA teacher, **Dr. Hutchison** explained that certain criteria has to be met in order to be a teacher for the IDLA. Teachers are part time and usually spend 7 to 10 hours a week per a one credit course. She further explained that 80% of the teachers are already teaching in Idaho schools.

In response to a question regarding what the Governor's response is to the IDLA presentation, **Wayne Hammon**, the Governor's chief budget officer explained that he had not received a copy of the IDLA presentation. He explained that nowhere in the Governor's budget is the recommendation to eliminate IDLA. He explained that it is a double funding issue and automatic growth issue. He explained that it is cheaper for IDLA to operate because the tax payer is subsidizing the operation. He further explained that now that the program has grown, it is time for it to stand on its own two feet. He reported that the \$5 million for IDLA would fund six new elementary schools. He further explained that the school is already funded for the credits provided by the IDLA. Mr. Hammon explained that the Governor does not want to eliminate this program. He also explained that IDLA "double dips" and there is a need to compete for this money. He acknowledged that other enhancement programs "double dip" and the Governor's office has been looking at how to eliminate these overlaps.

In response to a question regarding tuition fees for IDLA, **Mr. Hammon** explained that the state is providing funding for average daily attendance and the money should come from the public schools budget instead of individual students.

Dr. Hutchison responded that the presentation was delivered to the Governor's office this morning. She pointed out that because of the tough budget times, online learning is a good option for students. She explained that schools will not pay for IDLA if tuition is raised. She reported that there is a pending lawsuit in California where equity in education is the issue. She concluded that IDLA believes in quality education and there is a continued demand for IDLA by school districts.

ADJOURN:

There being no further business to be brought before the Committee, **Vice Chairman Shirley** adjourned the meeting at 11:20 A.M.

Representative Bob Nonini
Chairman

Claudia Howell
Secretary

MINUTES

HOUSE EDUCATION COMMITTEE

DATE: February 9, 2010

TIME: 9 A.M.

PLACE: Room EW41

MEMBERS: Chairman Nonini, Vice Chairman Shirley, Representatives Trail, Block, Nielsen, Wills, Chadderdon, Shepherd (8), Marriott, Thayn, Gibbs, Hartgen, Thompson, Boe, Pence, Chavez, Durst, Chew

**ABSENT/
EXCUSED:** Representatives Trail, Block

GUESTS: M. Wickland, Brent Reinke, Dept. of Corrections; Shane Evans, Dept. of Corrections; Phil Homer, ID Assoc. of School Administrators; Sherri Wood, ID Ed. Assoc.; Bert Marley, IEA; Mark Browning, State Board of Ed.; Wayne Davis, ID Rural Schools Assoc.

Chairman Nonini called the meeting to order at 9 A.M.

Brent Reinke, Director of the Idaho Department of Corrections addressed the Committee. He introduced **Shane Evans**, deputy chief. Director Reinke explained that the mission of the Department of Corrections is to protect Idaho through accountability, offender change, safety and partnerships. He explained the Department has made cuts in departments across all divisions.

Director Reinke explained that currently there are 7,375 individuals incarcerated. He further explained that the Department ended FY 2009 with 55 fewer inmates than last year. DOC has gone from a negative growth to a controlled growth of 4%. He reported that DOC has added 1,391 beds in the state system in the last year and there are no Idaho inmates housed out of state.

He explained that IDOC has implemented an enhancements tool called the Violation Matrix. This matrix consists of three levels; one is community service, two is house arrest and the last is return to prison. He explained that it is a consistent application for probation and parole that when an individual is eligible to come back into society, the Department makes sure tools are there for the individual to be successful in the community. Director Reinke explained that education and treatment makes a difference with parole rate.

Shane Evans addressed the committee. He explained that IDOC is working with the colleges in the state to offer classes to offenders. He explained that this investment return brings some of the best outcomes. IDOC continues to work with Vocational Rehabilitation and the Department of Education to enhance programs. He reported that IDOC has a mobile welding unit to take from site to site to train the inmate population. He further reported that there is a 90% retention rate in these jobs.

Mr. Evans reported that IDOC awarded 499 GED degrees and 17 high school diplomas last year. He further reported that 1,877 offenders

participated in workforce readiness training. He explained that new programs have been added including landscaping and irrigation, a machinists basic class, a heavy equipment program and a quality culinary art program. He reported that one of the IDOC instructors was recently honored as the national teacher of the year.

In response to a question regarding the availability of jobs for parolees in this tough economy, **Mr. Evans** explained that it is difficult for parolees to find jobs, and that is why the institutions offer direct training and job skills. He also reported that IDOC works with public and private partners to develop collaboration in the job market.

In response to a question regarding how IDOC is handling treatment for offenders with the downturn in the economy, **Mr. Evans** explained that it is a challenge and IDOC works collaboratively and tries to broker all resources. He further explained that the Department is looking for every grant opportunity and priority is given for core issues such as mental health and substance abuse.

In response to a question regarding what kind of vocational programs are offered to women offenders who are incarcerated for a shorter period of time, **Mr. Evans** replied that IDOC is offering certification in office management and also opportunities in the community. He further replied that IDOC is cognizant of gender equity. **Rep. Boe** commented that about 80% of the female offenders have children and need to be learning skills that would pay them a higher wage to support their family. **Mr. Evans** explained that IDOC is working with Premier Technology in Pocatello. He also explained that the office management certificate is not geared toward entry level jobs.

In response to a question regarding if Idaho is ahead of other states in IDOC's model for intervention, **Mr. Evans** explained that Idaho is on the cutting edge and staying on top of the problem.

Director Reinke reported that if Idaho had stayed on track with the increase in the offender population, the state would have 1,000 more inmates. He explained that the lower rate is due to several reasons including a lower crime rate, fewer probation revocations and accelerated parole releases. Director Reinke explained that with the lower offender population number this results in savings to the state of \$21 million.

Director Reinke explained that for FY 2010 all IDOC staff are participating in furloughs. He further explained that IDOC is cutting 8.7% in operating cuts and 10.4% in personnel cuts.

He reported that IDOC is opening the Correctional Alternative Placement Program (CAPP) facility in June of this year.

The facility will have 432 beds and a 90 day residential substance abuse treatment program. Director Reinke explained that CAPP will offer a trio of

options including a 90 day program at CAPP, new directions in Cottonwood and a proposed therapeutic community rider. IDOC is also in the process of building a secure mental health facility in the complex south of Boise. This will be a 300 bed facility and is a few years away from completion.

In response to a question regarding the Department's position on paroling non violent offenders, **Director Reinke** explained that appropriate options are offered including the CAPP trio of options.

In response to a question regarding capacity, Director Reinke explained that the Department is at 99% of capacity as of this morning. He further explained that there is also capacity in the county jails. He reported that the CAPP facility was initially designed to meet the need of additional beds.

In response to a question regarding opportunities for online learning in the institutions, Director Reinke explained that it is limited at this point, but they are looking to enhance these opportunities.

Mr. Evans described the main elements of a therapeutic community. The community model is a static environment, moving away from an egocentric model to a community model. Offenders hold each other accountable and it helps them understand how things are impacted in real life situations.

In response to a question regarding the reduction of number of people incarcerated for drug offenses, **Director Reinke** explained that there is a reduction of the number actually sent to prison because they have a variety of options for this population. He reported that this is a cost avoidance issue. He explained that if the offender fails the rider, they will be sent to prison. He clarified that sex offenders are not put in therapeutic communities.

In response to a question regarding if there are offenders still in institutions who have completed their treatment and training, **Director Reinke** explained that they are offenders still in prison with those completions due to restrictions put on the Department by the Courts and Parole Commission. He explained that the Department tries to do everything they can by getting individuals through in their time frame and getting them educated. He reported that the Department has about 135 to 138 releases monthly.

In response to a question regarding the cost to house offenders in county jails versus prisons, **Director Reinke** explained that it costs about \$42/day in the county jails and about \$40/day in the private institutions. He explained that the county jails are used as a buffer. He further explained that the population in prison is a fixed cost and there is a need to keep the beds at 98% of capacity. He reported that IDOC has a valuable partnership with the county jails and they need to maintain that partnership.

Dr. Bert Glandon, president of the College of Western Idaho addressed the Committee. He explained that CWI is the newest community college in the

Treasure Valley and in the nation. CWI has set records for enrollment. He explained that the Treasure Valley was the largest metropolitan area in the nation that did not have a community college.

Dr. Glandon reported that CWI has quadrupled in size from spring of 2009 to spring of 2010.

Dr. Glandon explained that CWI's mission includes open access and is committed to providing affordable access to quality teaching/learning opportunities to the residents of its service area in Western Idaho. He further explained that CWI is trying to achieve straight A's in being affordable, accessible, accountable, and adoptable.

He reported that CWI is in the middle of the three community colleges in cost at \$119/credit. He explained that the college has a great alliance with business and industry. He discussed the four major areas of CWI which includes; lower division transfer/general studies, professional technical education, workforce development , adult basic education and community education.

Dr. Glandon testified that CWI has seven accessible locations with the two main locations in Canyon County and four locations in Ada County. They also have programs located on the BSU campus. They serve 4,808 students in credited classes and 15,816 in non-credited classes. They have 106 full time faculty and 230 adjunct faculty.

Dr. Glandon explained that there is a dramatic difference in property tax assessments for Canyon and Ada counties and the other counties that help to support the College of Southern Idaho and North Idaho College. Canyon and Ada county residents pay far less than the other counties and taxpayers per \$100,000 of property valuation.

Dr. Glandon reported that no one anticipated that the college would quadruple their enrollment. He further reported that CWI has cut the marketing budget completely back to handle students coming through the door. They have also installed a new phone system to handle the growing population and added over 50 volunteers to handle student registration.

He reported that CWI is preparing for the future by adaptability, accountability, diversity and innovation, and community outreach. He further reported that they are starting the process to become fully accredited, a process that will take two years to complete.

He explained that 32 programs were transferred from BSU to CWI. CWI is doing a complete analysis of these programs to see if the program would provide a living wage, student enrollment, number of completions, job market projections, job placement, industry standards alignment, support from industry, program stakeholder, and program stakeholder ramifications. He explained that a program is evaluated to see if it meets industry standards. He further explained that each professional technical program has an advisory committee. He explained that it is expensive to move programs, so it is important to make right strategic decisions.

Dr. Glandon reported that CWI is committed to creating a virtual campus, and remove time, distance and location obstacles.

Community outreach includes the implementation of high school dual credit programs in all Ada and Canyon county by the fall of 2010. Dr. Glandon explained that CWI is partnering with local businesses and industries.

Dr. Glandon reported that 45% of CWI's budget is made up of student fees. He further reported that CWI is in the process of establishing a Foundation.

In response to a question regarding dual enrollment credit transferring to other universities, Dr. Glandon explained that they are weeks away from a formal signing of an agreement with Boise State University in clarifying that core credit classes taken at CWI will transfer to BSU. He further explained that the issue is that if the credit will transfer as a degree credit or an elective credit. He clarified that this would apply to high school students taking college classes at CWI.

In response to a question regarding CWI serving students in counties other than Ada and Canyon, Dr. Glandon explained that CWI is responsible for serving students in Canyon and Ada counties, but they are providing professional technical education for another eight counties. He reported that CWI has over 300 students outside these two counties. Dr. Glandon explained that it will take some collaborative work to serve the students outside the two counties and that this issue will require more study.

In response to a question regarding CWI's capacity to serve the exploding enrollment, Dr. Glandon explained that they are being creative and they do not have a definitive answer to this problem. He explained that neighboring schools have offered classrooms for CWI students. He explained that collaboration is occurring to address this issue.

Dr. Glandon reported that **Rep. Chew** and **Rep. Durst** are adjunct faculty at CWI.

Dr. Glandon reported that there are challenges with the funding formula for CWI. He explained that the original funding was geared for 2,100 students, and CWI is now at 5,000 students. He explained that he asked JFAC for an additional \$1 million to close this funding gap. He clarified that he is not after the other community college's money. He reported that CWI is not at parity with other schools, there is a huge disparity in the property tax assessment and in the state allocation. He reported that CWI's faculty and staff have risen to the occasion. He explained that CWI is not state supported, they are state assisted and it is a challenge deal with enrollment growth and to offer quality classes.

In response to a question regarding the introduction of athletic programs at CWI, Dr. Glandon explained that the college needs to get off the ground to see how big they are going to be before athletic programs are introduced. He further explained that when the community is ready for sports other than

football and when students want to pay extra fees for sports, then there will be athletics.

ADJOURN:

There being no further business to be brought before the Committee, Chairman Nonini adjourned the meeting at 10:55 A.M.

Representative Bob Nonini
Chairman

Claudia Howell
Secretary

MINUTES

HOUSE EDUCATION COMMITTEE

DATE: February 10, 2010

TIME: 8:30 A.M.

PLACE: Room EW41

MEMBERS: Chairman Nonini, Vice Chairman Shirley, Representatives Trail, Block, Nielsen, Wills, Chadderdon, Shepherd (8), Marriott, Thayn, Gibbs, Hartgen, Thompson, Boe, Pence, Chavez, Durst, Chew

**ABSENT/
EXCUSED:** None

GUESTS: Martin Bilbao, Connolly Smyser; Sarah Bautista, Caldwell School District; Glen Zollman, Apangea Learning; Katie Walker, State Dept. of Ed.; Brian Whitlock, INL; Harold Blackman, CAES/INL; David Hill, INL; Cindy Johnstone, State Dept. of Ed.; Sam Strothen, BSU; Phil Homer, ID Assoc. of School Admin.; Robin Nettinga, ID Ed. Assoc.; Sherri Wood, IEA; Mary Ihli-Laun, IEA; Sara Hammerquist, IEA; Kerry Ritchie Campbell, IEA; Randy Wilson, IEA; Heidi Olson, IEA; William Eicher, IEA; Linda Swickard, IEA; Lyna Kittelmann, IEA; John Mount, IEA; Bert Marley, IEA; Chuck Alexander, Emmett High School; Colby Cameron, Sullivan & Reberger; Tony Smith, Eiguren Public Policy; Luci Willits, State Dept. of Ed.; Skip Smyser, Apangea; Karen Echeverria, ID School Boards Assoc.

Chairman Nonini called the meeting to order at 8:30 A.M.

MOTION: **Rep. Chavez** made a motion to approve the minutes of the February 8th meeting as submitted. **On a voice vote, the motion carried.**

MOTION: **Rep. Thompson** made a motion to approve the minutes of the February 9th meeting as submitted. **On a voice vote, the motion carried.**

Dr. Harold Blackman, director of the Center for Advanced Energy Studies (CAES) addressed the Committee. He explained that CAES continues to develop meaningful research and development and educational collaborations among the state Universities, the Idaho National Laboratory and private industry. He further explained that CAES is actively conducting research at the Center. He reported that there are over 250 nuclear engineering students at CAES and CAES affiliates have won almost \$15 million in research and development grants and contracts. Dr. Blackman explained that CAES is working with local businesses and start up firms including Premier Technology, Blackhawk, Shell and AREVA. He further explained that they are trying to expand and build those partnerships.

Dr. Blackman explained that CAES has about 40 student faculty teams

producing research. He further explained that CAES is making investments in cutting edge research and development and also investing in unique equipment resulting in building university research programs that fuel the state economy. CAES is also increasing the number of engineers, scientists and technicians and creating intellectual property to stimulate new economic development.

Dr. Blackman reported that CAES major initiatives include nuclear science and engineering, carbon management, bio-energy, energy policy institute, and advanced materials. He explained that the Center is looking at dairy farms for waste energy. He further explained that energy policy studies are now looking at the economic impact of small modular reactors. Under the advanced materials initiative, Dr. Blackman explained that this is led by Boise State University and is \$6 to \$7 million of competitive work.

Dr. Blackman explained that CAES is seeking joint hires which are critical to their continued growth. Acquiring differentiating equipment makes them unique and competitive. He explained that one piece of equipment is an atom probe which is a device to look at atoms. He explained that there are only two or three of these devices in existence. He further explained that the purchase of this equipment gives CAES students the opportunity for students to get involved and be competitive for additional grant opportunities. Another piece of equipment that CAES has acquired is the Computer Automated Virtual Environment (CAVE) which creates three dimensional objects that can be manipulated. It also allows the scientist to get hands on and work with molecules.

Dr. Blackman discussed the increasing economic and educational benefits of CAES to the State. These benefits include; growing the number of jobs and sales from 316 jobs and \$22.4 million in sales, growing their industrial partnerships and research and development resulting in technology transfer and commercialization and growing educational opportunities at the State Universities. Dr. Blackman reported that CAES is also focusing on other energy related areas including materials, bioenergy, carbon, geothermal and wind.

In response to a question regarding his background, Dr. Blackman explained that he is a psychologist and has been at INL for 29 years. He has also worked in higher education as a professor.

Dr. Blackman explained that CAES does provide opportunities for students in the K-12 grades and is directly involved in the Idaho STEM program. He further explained that they have not done any online classes as yet, but they do have new systems in the CAES building which allows communication between different sites for video conferencing for instruction.

Dr. Blackman explained that CAES is working closely with Premier Technology in Idaho Falls and that company is also sponsoring students at CAES.

In response to a question regarding how students are chosen to come to CAES, Dr. Blackman explained that there is no selection process at this time.

The students are at the university level and are pursuing an energy career.

In response to a question regarding the development of green energy by CAES, Dr. Blackman explained that they are working on the development of wind energy by providing a test bed and students are studying the design of wind turbines and are making recommendations for improvement. He further explained that the area of wind energy is expanding. He also reported that CAES is also working on bio energy and working with the Lab and State Universities looking at dairy waste to make it cost beneficial to farmers. He also reported that CAES is working with the local power company on smart grid applications in the Idaho Falls area.

In response to a question regarding what small reactors could be used for, Dr. Blackman explained that they are small units of 15 to 50 megawatts. He further explained that these small modular reactors last about 30 years and could replace diesel fuel. He also explained that chemical plants that use a lot of power could use the reactor for a source of heat which would help to eliminate pulling power off the grid.

Rep. Thompson commented that he appreciates the vision and hard work of CAES.

In response to a question regarding how industries are chosen to collaborate with CAES, Dr. Blackman explained that the Center seeks companies to work with and are currently working with Nordic Wind in Pocatello.

In response to a question regarding the size of wind turbines that CAES is working on, Dr. Blackman explained that they are small with vertical blades in a cylinder. He explained that they could be used for residences, but they are not ready for commercial delivery yet.

Chairman Nonini thanked Dr. Blackman for his informative presentation and commended him for the good work the Center is doing.

Chairman Nonini recognized teachers from Regions 8, 9, 10 and 11 in attendance.

Cindy Johnstone, Mathematics Coordinator for the Department of Education addressed the Committee. She introduced **Dr. Jonathan Brendefur** from Boise State University who teaches the Mathematical Thinking for Instruction (MTI) course, part of the State Department of Education's Math Initiative.

Ms. Johnstone explained that she is a former elementary teacher and became the math coordinator for the Department in December of 2008. She explained that she has received e-mails from teachers who are excited about math due to the MTI course. She reported that she was invited to give the keynote speech at the National Math Coordinators conference recently and Idaho is leading the way with the Math Initiative.

Ms. Johnstone explained that the Math Initiative consists of student achievement, public awareness and parent involvement. She further explained that the initiative is a statewide effort and is high quality.

She explained that the Initiative includes every student and every teacher and best practices are sought after. She explained that the Math Initiative is

a statewide priority and they are getting statewide results. She reported that Math was once a weakness in the state, but it is now a strength.

She further reported that the Department is hearing from parents who are seeing great things from their children with the Initiative. She explained that in order for parents to understand the Math Initiative and participate with their children, there are 92 family math night kits for schools in the state. The Department of Education has partnered with Micron to provide these family math night kits free of charge to the schools statewide. Ms. Johnstone encouraged Committee members to attend a family math night in their district.

Dr. Johnathan Brendefur, from Boise State University addressed the committee. He discussed the MTI course. He explained that the course started five years ago with a grant from the state. He explained that longitudinal data started five years ago show that students who receive math instruction from teachers who have been through MTI courses statistically out perform students in a control group. He reported that students in poverty and ESL students are performing at greater proficiency and advanced rates that ever before and some of the data they have not seen in over 20 years. He further reported that students who have been in classrooms whose teachers have taken MTI course do 20% better on the math portion of the ISAT. He explained that after students leave elementary school, that gap holds all the way through middle school. 14% more students are proficient and advanced on the ISAT and there is a greater percentage of students in the advanced categories.

Dr. Brendefur reported that over 2,700 teachers out of approximately 11,000 have taken the MTI course as of December of 2009. He reported that he has received overwhelmingly positive ratings, and independent evaluators have rated the course at "high quality professional development" based on pre and post test measures. He further reported that their external evaluator found that teacher's knowledge of math and knowledge of teaching significantly increased.

Dr. Brendefur explained that he is seeing excitement from teachers at the high school level for this MIT course.

In response to a question regarding if these math concepts are being taught to students who are education majors at the Universities, Dr. Brendefur explained that seeds are planted with these students, then when they become teachers they participate in inservices.

Glen Zollman, Idaho Director of Apangea Learning addressed the Committee. He explained that **Louis Piconi**, Founder of Apangea Learning was scheduled to present but was unable to fly to Idaho because of bad weather on the east coast. Mr. Piconi submitted a letter to the Committee members (see attached).

Mr. Zollman explained that he is a native Idahoan and former high school math teacher.

He explained that he wishes he had been able to go to MTI class and also have a program like Apangea to help his math students while he was teaching.

He explained that the Apangea focuses on problem solving and how to attack math problems. It teaches students how to pick out key math components and provide students with a wide range of how to solve problems. He explained that animated learning coaches (avatars) provide initial guidance, emulating best practices for tutoring and providing instant feedback and support to each student. He further explained that when students need additional help, they are able to instantly connect to a certified math teacher who provides individualized assistance through live, interactive voice and chat technology. He explained that students needing an extra level of help in understanding concepts are seamlessly transferred to the Concept Zone, where they work with a certified math teacher in a unique e-whiteboard environment.

Mr. Zollman discussed the numbers of student activity. He explained that Idaho has more students involved in Apangea learning over last year's usage. He further reported that 85 out of 117 school districts in the state are using Apangea. He explained that Apangea has had an impact on ISAT scores with a 77% increase in math scores.

Mr. Zollman explained several Apangea competitions in which students can earn prizes. He explained that the "Idaho Math Cup" starts this week which gives students the opportunity to earn a family reward package and possession of the Idaho Math Cup for one year with the school name inscribed. Individual prizes consist of iPods, Nintendo Wiis, gift cards and more.

He explained that Apangea also provides an opportunity for students to give to charity. He reported that over \$4,000 dollars has been donated since the program began.

Mr. Zollman showed a video to the Committee of parents and teachers discussing the Apangea program. Comments included; students can work at their own pace, and teachers can see who needs additional help and who needs to be challenged more. Apangea learning connects homes and schools to promote learning and is promoting a learning community.

Rep. Chavez commented that she visited an elementary school in her district and saw Mr. Zollman working with the school making sure that the Apangea program was working. Mr. Zollman explained that he has conducted over 400 inservice classes for teachers and that they listen to teachers who have problems with the program and make needed changes.

In response to a question regarding how the Apangea program was chosen by the Department of Education, **Luci Willits**, from the Department explained that they were given \$350,000 three years ago for the Math Initiative and the Department looked for a broad based program that contained student interaction, teacher training, and parental involvement. Teachers were also involved in the process of choosing this program. She explained that Apangea costs \$1.3 million a year, and they are a year to year contract.

She further explained that the Department has a rigorous vendor management program for all of the programs that the Department contracts with. She reported that Supt. Luna meets four times a year with

representatives of the Apangea program to look at data. She further reported that the contract is a flat line and does not change in cost from year to year.

In response to a question regarding how the Apangea program works for students who have a negative home environment, **Mr. Zollman** explained that they find a way to make the program work. He explained that some teachers let students come into their classroom before school and during lunch and some have an after school program at the library so students who do not have a computer at home can participate in the Apangea program.

Mr. Zollman clarified that the school districts do not pay a fee for the Apangea program.

In response to a question as to why all of the school districts in the state are not using the Apangea learning program, Mr. Zollman explained that all of the districts have been offered the program and he does not know why all are not involved. He further explained that it comes down to time and some schools have purchased other programs. He reported that some districts feel that they already have too much on their plate. He further reported that he is continuously working on getting all schools involved. He clarified that an individual student can sign up for the program.

ADJOURN:

There being no further business to be brought before the Committee, **Chairman Nonini** adjourned the meeting at 10:20 A.M.

Representative Bob Nonini
Chairman

Claudia Howell
Secretary

MINUTES

HOUSE EDUCATION COMMITTEE

DATE: February 15, 2010

TIME: 8 A.M.

PLACE: Room EW41

MEMBERS: Chairman Nonini, Vice Chairman Shirley, Representatives Trail, Block, Nielsen, Wills, Chadderdon, Shepherd (8), Marriott, Thayn, Gibbs, Hartgen, Thompson, Boe, Pence, Chavez, Durst, Chew

**ABSENT/
EXCUSED:** Rep. Nielsen

GUESTS: Dustin Hurst, Idaho Reporter; Roger Brown, Office of the Governor; Robin Nettinga, ID Education Assoc.; Sherri Wood, IEA; Harold Ott, ID Rural Schools Assoc.; Karen Echeverria, ID School Boards Assoc.; Wayne Davis, ID Assoc. of School Administrators; Phil Homer, IASA; Sandy Powell, private citizen; Luci Willits, Dept. of Education; Emma Roemhildt, ICE-PAC; Lori Shoemaker, private citizen; John Knickerbocker, private citizen; Phillip Turner, private citizen

Chairman Nonini called the meeting to order at 8 A.M.

RS 19634: **Rep. Bedke** presented this RS to the Committee. He explained that the purpose of this legislation is to create the Idaho Higher Education Stabilization Fund. He explained that the funding for this initiative is generated from two revenue sources flowing into three accounts. The first account is established through the interest generated from the submission of tuition and fees to the State General Account. The second and third accounts are funded through the appropriation of surplus monies in times of economic abundance. The fund will be disbursed at the will of the Legislature based upon established allocation practices utilized by the State Board of Education. He further explained that approximately \$114,000 would be transferred out of the General Fund into the dedicated Idaho Education Stabilization Fund.

Rep. Bedke explained that this proposed legislation is not modeled after any other state, but he has been told that other states have similar funds.

MOTION: **Rep. Thompson** made a motion to introduce **RS 19634**. **On a voice vote, the motion carried.**

RS 19505: **Rep. Jarvis** presented this RS to the Committee. He explained that the purpose of this legislation is to allow school board of trustees to designate school administrators to identify and help students that are habitually truant in a more expeditious manner. He further explained that this proposed legislation would allow a school board to designate a person or group within a school and would allow the district the ability to work with juvenile truants after age 16.

Rep. Jarvis explained that this proposed legislation does not seek to return

a student back to school if they drop out before age 16.

Rep. Chavez commented that the schools have the ability to work with truant students and the ultimate decision is with the school board. She explained that to remove the responsibility from local school board would not be expeditious. **Rep. Jarvis** replied that the Juvenile Justice Advisory team met this last week and indicated that they were supportive of this proposed legislation. He explained that the board can keep this responsibility or they can appoint someone else like a principal to handle the situation.

MOTION: **Rep. Chavez** made a motion to introduce **RS 19505**. **On a voice vote, the motion carried.**

RS 19513C1: **Rep. Jarvis** presented this RS to the Committee. He explained that the purpose of this legislation is to revise provisions relating to procurement requirements for school districts. The proposed legislation will change “lowest qualified bidder” to “lowest responsible bidder”. This change will assure consistency in terminology between the purchasing statutes. The statutes applicable to the state’s Purchasing Division and the Division of Public Works utilize the term “lowest responsible bidder”. This change will bring the purchasing statutes applicable to political subdivisions and schools into conformity with the other existing state purchasing statutes. He explained that the dollar threshold would be increased in districts that have more than 833 students.

MOTION: **Rep. Wills** made a motion to introduce **RS 19513C1**. **On a voice vote, the motion carried.**

RS 19653: **Rep. Jarvis** presented this RS to the Committee. He explained that the purpose of this proposed legislation is to amend the State Constitution relating to the State Board of Education to provide that the State Board of Education shall supervise the public institutions of post secondary education in the State and to provide that the Superintendent of Public Instruction shall supervise the public school system of the State. He explained that the scope of the State Board of Education is considerable. The Board supervises all higher education and includes other agencies such as Vocational Rehabilitation. He further explained that the Board oversees 10% of total state employees. He reported that the Legislature last year took steps to refine focus of the State Board to higher education. He further reported that there is a need to have a renewed focus on higher education in the state.

MOTION: **Rep. Durst** made a motion to introduce **RS 19653**. He explained that he feels that the State Board is stretched too thin. **Rep. Trail** commented that the State could also could consider having two separate boards instead of overloading the duties of the Board. **Rep. Boe** commented that there are other things that the State should be considering. She further commented that there should be a discussion as to the way Boards of Education are set up in other states. She explained that in some states Board members are elected, in other states members are chosen regionally, and in some states each member represents each institution of higher learning.

Rep. Hartgen commented that he would like to open the discussion, but this

is not the right venue. He explained that there should be an interim committee to further look at this issue.

On a voice vote, the motion to introduce RS 19653 carried.

H 493:

Rep. Thayn introduced this bill to the Committee. He gave an overview of the bill. He explained that about 10 years ago his children were graduating from high school at age 18, then going on a church mission and returning at age 21 with no college credits or marketable skills. He further explained that this legislation would allow students to take competency exams to move through the system faster. He reported that high schools have a dual role of teaching their own curriculum and offering dual credit for college. He further reported that he has visited with staff from the State Board of Education and has shared his concerns.

Rep. Thayn explained that the nature of the competency exams for students in grades 1 thru 6, be would be more skill based with more of an emphasis on tests and more emphasis given on demonstrations. He further explained that in Grades 7 thru 12, the competency tests would be more content based.

Rep. Thayn explained that the education system is already moving in this direction. He reported that currently in other parts of the state, some elementary schools allow students to go to higher grade classes for subjects. He further reported that scholarships for finishing early is happening in some places now and that he feels that the majority of students could graduate from high school at age 16. He explained that **H 493** focuses on the needs of the student. He further explained that many students are bored and that this legislation would allow them to move ahead if they chose to do so. He explained that this allows more choice for the student and is a way to keep students engaged and excited about learning.

Rep. Thayn reported that **H 493** would provide more career choice for teachers, as they could teach both high school classes and community college classes with a masters degree. He reported that there would be fewer discipline problems if students were more engaged. He also explained that this legislation has the potential of saving the state money. He concluded that this legislation taps into two assets in the state, increased parental involvement and it would stimulate student interest.

Rep. Durst discussed the specific language in the bill. He explained that this is a big idea for the state and an opportunity to look at the whole educational issue.

He explained that the purpose of this legislation is to create the Master Advancement Pilot Project (MAPP). The legislation directs the State Department of Education to accept and approve applications to the MAPP. Participating school districts will be selected based upon a variety of variables including size and region with a total of 21 school districts and three charter school districts. He explained that the sponsors wanted geographic diversity in the pilot project and they do not want to force a school into this if they do not want to.

He explained that Section 4 of the legislation focuses on student

assessments. He explained that they are trying to identify benchmarks. Rep. Durst explained that school districts that choose to participate in the pilot would also be asked to keep track of any student behavior changes.

He explained that the next section relates to concurrent enrollment and scholarships. He further explained that if a student is able to graduate a year early, 35% of ADA money goes with student if they attend a public institution of higher education in Idaho. He reported that they can receive this scholarship money for up to three years and the maximum earned would be \$4,500.

Rep. Durst explained that the last section of the legislation gives the State Board of Education authority to promulgate rules to implement the provisions of this act.

Rep. Wills commented that he is concerned that there are some teachers that are an adjunct professors, which entails additional duties, but there is not extra compensation for teachers. **Rep. Durst**, explained that concurrent enrollment is already offered and teachers are compensated by the community colleges. He further explained that this is a way for teachers to make additional money after the school day.

In response to a question regarding the breakdown of the regions, **Rep. Durst** explained that the regional breakdown was suggested by the State Board of Education. He further explained that they are trying to make sure they have an adequate sized applicant pool.

In response to a question regarding school districts who are already offering dual enrollment and how **H 493** would affect this, **Rep. Durst** explained that the district could continue to do this. He further explained that if a student leaves the district to go away to college in the state, they could receive a percentage of the ADA money. He explained that the student would physically leave the school building. Rep. Durst explained that this issue is addressed in **H 493** on page 4, lines 15 through 17.

Rep. Thayne explained that this legislation would allow students to choose different options and that a scholarship lets students know that they have an opportunity to advance. He further explained that if a student decides to graduate early from high school then decide to come back to high school and take community college classes, they could give the money back to the school. He further explained that if a student does not graduate early, the funding remains the same. If student graduates early, they can choose to go away to a college, or come back to the high school as a community college student.

In response to a question regarding what would be the most advantageous for students; to graduate early and leave school or take dual credit while still in school, **Rep. Durst** explained that it would depend on the student's interest. He further explained that if the student stayed in school and took community college credits it would cost less.

In response to a question regarding if the student taking college classes

would still be eligible for extra curricular activities at the high school, **Rep. Thayne** explained that it would have to be ironed out at the district level and it would take further discussion.

In response to a question regarding if either the sponsors of the legislation would have any financial gain if the bill passes, both **Representatives Thayne** and **Durst** indicated that they would not.

In response to a question regarding a similar program in Washington state, **Rep. Durst** explained that he went to college in Washington and had 16 year olds at his college and that had first two years of college paid for by the state. He reported that it has been a phenomenal benefit to the state of Washington.

Rep. Chavez expressed her concern that intelligence does not always equate to maturity and faster does not always mean better. She also expressed her concern that tying achievement to behavior could be problematic. **Rep. Durst** explained that there is a section in the bill that addresses which areas the districts would monitor such as drop out rates and behavior issues.

In response to a question regarding why 85% was chosen for passing the mastery assessments, **Rep. Durst** explained that this figure is used currently in colleges and they intentionally made it more difficult to pass. He further explained that they are not trying to not have student move on, but if money is tied in there is a need to make sure that the student possesses the knowledge.

In response to a question regarding how much money the state could save with the passage of this legislation, **Rep. Thayne** reported that they are estimating about 10% of the students will participating in the pilot program, but if it is implemented statewide there would be potential savings to the state.

In response to a question regarding elementary students testing out, **Rep. Thayne** explained that it would still be a local decision, but the state is moving towards standards and achievement.

In response to a question regarding what the true objective is of **H 493**, **Rep. Durst** explained that it is to make the best version of ourselves. He further explained that if students can make more of themselves, the state should allow them to do this. He reported that the parents have a huge responsibility and we are all in it together. **Rep. Thayne** added that this legislation is facilitating parents to get involved in their child's education.

In response to a question regarding if a student graduates early, then attends a community college would it be "double dipping" for the district, **Rep. Thayne** explained that the state allocates about \$4,593 dollars for each student and that 35% of that money would be left for the school district. **Rep. Durst** explained that currently schools are funded on a support unit basis. He acknowledged that there would be "double dipping" but it would benefit the small school districts and in the big picture it would not be "double dipping".

In response to a question regarding if there have been studies about social adjustments for students who skip grades or graduate early, **Rep. Durst** explained that he did not know of a specific study. He further explained that students are not going to be successful if they do not know how to interact with their peers and students need to know how to work together. **Rep. Thayne** commented that maturity can be answered in a lot of different ways. He further commented that giving students choices is important and the issue of maturity might become more important under this bill. He explained that this bill allows students to prove they are mature by their actions.

Sandy Powell, a mother of 7 children in the public school system **spoke in support of H 493**. She explained that she also teaches online classes along with teaching chemistry and physics at Emmett High School. She explained that she is currently working with Boise State to teach dual enrollment. She testified that she wants to find out if this legislation would benefit students. She further testified that as an educator she appreciates that the mastery tests are on content and not specific. She explained that she would want to be able to do her own assessments.

Lori Shoemaker, a mom who lives in Boise testified **in support of H 493**. She explained that her 6th grade son reads at a 10th grade level. She reported that his school is not encouraging her or her son to promote to the next grade. She further explained that the school is not pushing her son to perform at a higher level. She reported that with this pilot program she could move her son ahead. She explained that her son can get bored and be disruptive and it is up to his parents to help guide him and encourage him to fulfill his potential.

John Knickerbocker, a father of 11 children from Parma **spoke in support of H 493**. He explained that he comes from a family of teachers and that he and his wife home school their children. He further explained that by using this model, it would provide opportunities for kids and teachers and have the child be responsible for their own education.

Philip Turner, testified **in support of H 493**. He explained that this bill would allow children who want to get ahead to leave the system if they desired.

Mark Browning, from the State Board of Education explained that the Board has not taken a position on this legislation.

Luci Willits, from the State Department of Education explained that the Superintendent does support this legislation. She explained that the state is moving toward this direction. She further explained that the cost of assessment is not clear, but the Superintendent is willing to work with the Legislature.

MOTION:

Rep. Pence made a Motion **to send H 493 to the Floor with a Do Pass Recommendation. On a voice vote, the motion carried. Rep. Thayne and Rep. Durst** will sponsor the bill on the House Floor.

Chairman Nonini introduced **Nancy Larsen**, former teacher of the year from Coeur d'Alene who was visiting the Committee meeting.

ADJOURN: There being no further business to be brought before the Committee, **Chairman Nonini** adjourned the meeting at 10:00 A.M.

Representative Bob Nonini
Chairman

Claudia Howell
Secretary

MINUTES

HOUSE EDUCATION COMMITTEE

DATE: February 16, 2010

TIME: 9 A.M.

PLACE: Room EW41

MEMBERS: Chairman Nonini, Vice Chairman Shirley, Representatives Trail, Block, Nielsen, Chadderdon, Wills, Shepherd (8), Marriott, Thayn, Gibbs, Hartgen, Thompson, Boe, Pence, Chavez, Durst, Chew

**ABSENT/
EXCUSED:** None

GUESTS: Harold Ott, ID Rural Schools Assoc.; Shannon Nicholson, Meridian IEA; Sue Darden, IEA; Shannon Dechr, IEA; Debbie Lichter, IEA; Nate Wed, IEA; Luke Franklin, IEA; Eldon Wallace, private citizen; Tanya Perry, IEA; Robyn Coulter, IEA; Jerel Thomas, IEA; Kathleen McCurter, IEA; Shane Stevenson, IEA; Derek Jernier, IEA; Stan Burton, IEA; Sherri Wood, IEA; Cindy Wilson, IEA; Janet Hargis, IEA; Caya Snethen, IEA; Jessica Hamison, ID School Boards Assoc.; Luci Willits, State Depart. of Ed.; Bert Marley, IEA; Roger Brown, Office of the Gov.; Colleen Fellows, ID Assoc. For the Education of Young Children (AEYC); Melissa Bandy, AEYC; Jane Zink, AEYC; Colby Cameron, Sullivan & Reberger; Mark Browning, State Board of Ed.

Chairman Nonini called the meeting to order at 9:05 A.M. He introduced teachers from the Meridian School District, which includes legislative districts 14, 20 and 21.

MOTION: Rep. Thompson made a motion to approve the minutes from the February 10th, 2010 meeting as submitted. **On a voice vote, the motion carried.**

Melissa Bandy, Co-Executive Director of the Idaho Association for the Education of Young Children (AEYC) addressed the Committee. She explained that AEYC is a non profit organization and is dedicated to improving quality child care facilities and building strong families. Their mission is to improve professional practice in early care and education; build public understanding and support in our communities, and maintain a strong, diverse and inclusive organization.

She reported that 60% of parents of children under the age of 6 are in the work force. She further reported that approximately 61% of children are in licensed child care and approximately 39% of children under the age of 6 are in a child care setting where a license is not required.

Jane Zink, coordinator of the Idaho State Training and Registry System (STARS) program addressed the Committee. She reported that STARS is a voluntary program designed to provide training in child development, education, and assessment of child care facilities based on national quality standards.

She further explained that this program is not supported by state or tax payer

dollars.

Ms. Zink explained that the Quality Rating and Improvement System (QRIS) is a voluntary system to improve the quality of Idaho's child care facilities. The rating helps parents choose the best child care for their family. The system lists quality indicators in each of 8 standards and if the facility is implementing those practices. Standards include; environment, professional development, strengthening families, group size, education, inclusion, child to staff ratio and business practices.

Ms. Zink explained that for a child care facility to obtain a QRIS rating they first have to conduct a self study, then implement an improvement plan, and then reevaluation. She further explained that this process could take up to 18 months. The rating is good for three years. She explained that the rating can help a parent make an informed decision.

Ms. Zink reported that Idaho is one of 20 states with a state wide QRIS with 50 facilities in the state which have a QRIS. She explained that the goal is to increase access to more quality programs and parents pay considerable attention to the rating.

Melissa Bandy explained that the QRIS was created with federal stimulus funds and that they are seeking partnerships with other entities to support this system. She reported that they intend to come next year with legislation to ask the state to help support this program.

In response to a question regarding what the incentive is for a facility to become part of QRIS, **Ms. Bandy** explained that some dollars are associated with a quality rating. She further explained that a facility can earn up to \$15,000 and there is no fee to participate.

Rep. Durst commented that he attended an AEYC conference and heard Dr. John Medina who wrote "Brain Rules" which discusses children's brain development in the first 18 months of life. **Ms. Bandy** explained that Dr. Medina wrote that trauma events and early childhood experiences can predict divorce rates. She further explained that 90% of an individual's brain is developed by the age of 5.

Ms. Zink explained that the quality rating is based on research and each standard is reflected in best practice.

In response to a question regarding why they would ask the state instead of the parents to increase funding for quality child care, **Ms. Bandy** explained that all ideas need to come to the table and everyone is in difficult economic times. She reported that she is currently paying over \$600 per month for child care for one child. She explained that it would be hard for parents to pay higher fees.

In response to a question regarding why she felt that it is important for the state to be involved in early childhood education, **Ms. Bandy** explained that she sees it as workforce development. She further explained that if the state invests in quality early childhood care, they are building a work force for tomorrow.

She also explained that not all families can afford to pay for quality child

care.

In response to a question regarding the federal Head Start program and how they fit into the QRIS system, **Ms. Bandy** explained that Head Start only serves about 3 % of the children in the state who are in child care. She further explained that she wants them to be part of QRIS.

In response to a question regarding if parenting skills are part of the QRIS system, **Ms. Zink** explained that a facility cannot receive star rating until they include work on parenting skills. She further explained that not all parents have a good framework and facilities can help parents identify their own strengths. She also explained that sometimes stress can overwhelm the family and the child care provider can help with solutions.

Ms. Zink explained that there is equal representation from all sizes of facilities in the QRIS system

In response to a question as to how the information about which day care facilities have high quality standards is disseminated, **Ms. Zink** explained that they have worked with hospitals to provide the information in new baby packets, but they have been focusing their efforts on encouraging providers to get enrolled and now they can turn their attention to parents.

In response to a question regarding if there is a correlation between the amount charged by a day care facility and the quality of a day care facility, **Ms. Zink** explained that quality does cost more. She further explained that the QRIS system helps to offset that cost to parents by providing money to centers to keep costs down.

In response to a question regarding the statistics of children in licensed and unlicensed facilities, **Ms. Bandy** explained that the statistics she quoted were up to date.

In response to a question regarding the federal stimulus grant money for the QRIS system, **Ms. Bandy** explained that it is a \$1.6 million dollar grant for a three year period. She further explained that the budget amount is about \$800,000 for the next two years. She clarified that the standards are national quality standards and not federal standards.

Ms. Zink explained that the QRIS was launched statewide January 1st of last year. She reported that a day care facility in Idaho Falls is the first facility to complete this process.

In response to a question regarding what kind of legislation the group will be bringing next year, **Ms. Bandy** explained that she cannot answer this at this point. She further explained that they are currently doing data collection. She explained that she feels that the QRIS system deserves statewide support and will impact education in future years.

Chairman Nonini announced that he will be presenting the Committee's budget recommendations to the JFAC Committee on Thursday morning. He explained that he would like to have Committee discussion and direction on Supt. Luna's FY 2011 proposed budget. He further explained that Supt. Luna's original budget request was based on

the hope that the State Department of Education would receive \$52 million from Land Board, however they decided last week to give the Department \$22 million instead. Also, with the new numbers from JFAC, public education is looking at cuts of over 8%.

Rep. Durst commented that he does not understand why JFAC makes the decision as to how the education budget should be spent and feels that this should be done in the germane education committees. He further commented that he felt that the state needs to cut the enhancements first. He explained that he has talked with several teachers and the consensus is that they can do away with the enhancements such as supply money and the math and reading initiatives but not do away with student teacher contact time.

Rep. Chavez reported that she has been in conversation with various stake holders discussing Supt. Luna's idea of cutting discretionary funds by 8%. She explained that this idea is worrisome and it translates out to districts in a devastating way. She further explained that some school districts won't be able to turn on the lights without this money. She also recommended that the Chairman express to the JFAC committee to tell school districts what the number is going to be and recommended to give them a lump sum. She explained that the decision to cut should be done at the local level.

Rep. Boe commented that when the Governor implemented hold backs earlier in the year; he told each state agency to make their own decisions as to how to cut and it should be the same for the schools. She explained that each district has its own set of needs. She further explained that districts should be given a lump sum and let them figure out how to spend it.

Vice Chairman Shirley commented that he appreciated the opportunity for input from the Committee to the JFAC Committee. He explained that he feels that the JFAC Committee is listening to their input. He reported that he has presented a proposal from school districts to various stakeholders which would allow districts to use Plant Facilities funds that have been restricted in the past. He explained that many districts have built up a reserve in this fund. He further explained that in this time of emergency the state should allow school boards to release that money to use where districts need it. He reported that he knows of one district that has \$1 million in that fund, but had to declare a financial emergency. He further reported that there are 50 school districts that have Plant Facility funds built up. He explained that half of the districts do not have money in the fund. He suggested that the Committee recommend that JFAC write intent language to allow the use of the fund by the school districts. He reported that he has talked to several groups about this and everyone seems to be receptive to this. He further reported that the Committee should be careful about what one means about enhancements.

Chairman Nonini commented that it is appropriate that there is a group of teachers to hear this discussion regarding the budget. He further commented that he agreed with **Rep. Durst's** comment on input to the JFAC Committee.

He explained that it has only been in the last few years that the JFAC committee has asked for input from germane chairmen. He commented that

the JFAC Committee should just be appropriating money and not making policy through intent language. He explained that the elimination of early teacher retirement and funding for field trips are back on the table this year after the House had passed legislation last year to eliminate this funding. He explained that it would be a good idea to invite the Co-Chairmen of the JFAC committee to come to the Education Committee prior to setting the education budget.

Chairman Nonini also commented about increase of schools making AYP. He read a letter from **Wayne Davis** of the Idaho Association of School Administrators which attributes this increase to Supt. Luna's new initiatives such as the math and reading initiatives. He further commented that he thinks that the State Department of Education should have big role in deciding how to spend the education budget. He explained that the State should give the money to the Superintendent to decide how to make it fit and he should not be cut out of the process.

Rep. Hartgen commented that there is some indication that the revenue projection could be optimistic and that the cuts of 8.14% could be low. He explained that most superintendents are aware of this and know the state has less money. He suggested that the JFAC Committee set the education budget first rather than last. He also commented that members keep in mind that the state has lost over \$700 million in funds. He explained that other state agencies have been cutting and up until now public schools have not had to.

Rep. Thayne commented that setting the budget number is really important. He further commented that the state should set a number and districts should be given flexibility within the Code.

Rep. Trail explained that he has visited with school districts in his region. He reported that most want the state to allow the districts to opt out of 2013 math and science standards. He explained that this would give them added financial flexibility. He further explained that many of these programs were passed by the legislature several years ago, when the state had more money and opting out voluntarily would give districts flexibility.

Rep. Thompson commented that these are trying times and teachers and administration should be involved in this discussion. He explained that there is a need for all to come to the table together, not just the teachers that need to give things up. It explained that it is easy to reduce positions, but it is hard to make things work. He clarified that he was speaking of the administration in local school districts.

Rep. Nielsen commented that there is a need to get the budget number quickly. He further commented that local school boards should be allowed more discretionary funds. He explained that every district is different. He further explained that intent language is only good for one year and there is a need to change policy. He explained that there is no way to make cuts and leave teachers whole and districts need to know the number before they do contracts for the next year.

Chairman Nonini commented that he has had conversations with House leadership and they have indicated that if programs are eliminated, the legislation will start on the Senate side. He further commented that some of the percentage cuts could be done with intent language, but it would only be good for one year. He explained that if revenues come in lower than projected, the number that has to be cut could approach \$200 million dollars. He further explained that 85% of public schools budget is made up of wages and benefits and the budget cannot be cut without affecting this. He explained that the state does not want teachers to lose their jobs and the goal is to keep teachers working and classrooms manageable. He explained that education is cornerstone of what the state does but there is a need to be realistic. He further explained that the state will not see an increase in taxes, so the state will have to get by with what there is. Cuts need to be made across the board.

Chairman Nonini announced that due the lateness of the hour, that the Committee will continue the budget discussion tomorrow. Committee members indicated that they would be supportive of the Chairman inviting the Co-Chairmen of the JFAC Committee to answer member's questions about the public education budget.

ADJOURN:

There being no further business to be brought before the Committee, **Chairman Nonini** adjourned the meeting at 10:30 A.M.

Representative Bob Nonini
Chairman

Claudia Howell
Secretary

MINUTES

HOUSE EDUCATION COMMITTEE

- DATE:** February 17, 2010
- TIME:** 8:30 A.M.
- PLACE:** Room EW41
- MEMBERS:** Chairman Nonini, Vice Chairman Shirley, Representatives Trail, Block, Nielsen, Wills, Chadderdon, Shepherd (8), Marriott, Thayn, Gibbs, Hartgen, Thompson, Boe, Pence, Chavez, Durst, Chew
- ABSENT/
EXCUSED:** None
- GUESTS:** Sherri Wood, ID Education Assoc.; Bert Marley, IEA; Jeff Church, Veritas Advisors; Jeff Dolifka, intern; Wayne Davis, ID Assoc. of School Administrators; Phil Homer; IASA; Harold Ott, ID Rural Schools Assoc.; Jessica Harrison, ID School Boards Assoc.; Karen Echeverria, ISBA; Mark Browning, State Board of Ed.; Luci Willits, Department of Ed.; Tom Luna, Dept. of Ed.; Jason Hancock, Dept. of Ed.
- Due to the absence of the Chairman and Vice Chairman, **Rep. Block** called the meeting to order at 8:40 A.M.
- MOTION:** **Rep. Chavez** made a motion to approve the minutes from the February 4th, 2010 joint meeting as submitted. **On a voice vote, the motion carried.**
- MOTION:** **Rep. Thompson** made a motion to approve the minutes from the February 15th, 2010 meeting as submitted. **On a voice vote, the motion carried.**
- RS 19272C2:** **Rep. Trail** presented **RS 19272C2** to the Committee. He explained that this proposed legislation provides for the encouragement of gifted students. It allows students who complete any required high school course with a grade of C or higher before entering the 9th grade and if that course meets the same standards that are required in high school, the student shall be given a grade for the successful completion of that course and the number of credit hours would be transferred to the student's high school transcript. It further proposes that two of the required six semester math credits must be taken in the final year of high school and it does not apply to senior projects.
- In response to a question as to the requirement of taking two math credits in the last year of high school, Rep. Trail explained that studies have shown that students who take math and science classes in their senior year require less remedial courses in college. Rep. Trail clarified that the proposed legislation would not apply to senior projects as suggested by the State Department of Education.
- MOTION:** **Rep. Thayn** made a motion to introduce **RS 19272C2**. **On a voice vote, the motion carried.**

Vice Chairman Shirley assumed the chair.

Vice Chairman Shirley commented that **Chairman Nonini** is scheduled to talk to the JFAC committee tomorrow morning to present Committee recommendations regarding the public schools budget. He explained that stakeholders were invited to present their views to the Committee.

Dr. Wayne Davis, Executive Director of the Idaho Association of School Administrators addressed the Committee. He provided copies of the IASA's finance report which compiled statistics from a survey given to school administrators. He explained that 109 out of 115 districts participated in the survey. (Copy of report attached to the minutes). He reported that a bank of questions were asked. He further reported 45 school districts qualified to declare a financial emergency and 20 districts declared a financial emergency.

The survey addressed issues such as enrollment, the affect of property assessment values; if administrative staff and certified staff have increased or decreased and the reason for the change. The survey also addresses the fund balance trend of qualified FTEs, and the reasons why a district qualified to declare a financial emergency. He reported that 27 of the 45 districts who qualified to declare a financial emergency have supplemental levies in place for district operations. The survey also lists the district's answers as to how they addressed the reduction of funding for teacher's and administrative salaries. It also lists the changes in benefits in health insurance and early retirement benefits for employees.

Dr. Davis reported that about 38% of districts did make salary reductions and many changed the deductibles for their employee's health insurance. He also reported that early retirement did not fill a need for most of the districts and administrators are not encouraging the state to keep funding early retirement.

Harold Ott, representing the Idaho Rural Schools Association, addressed the Committee. He explained that the current public schools funding formula was developed 20 years ago and it did good things for uniformity in the state, but, reflecting on current data, in 2003 there were about 30 districts running supplemental levies and it grew to 70 districts in 2010. He explained that the largest increase was from 2004 to the present which reflects the federal requirements for schools to meet AYP. He explained that these requirements caused districts to increase remediation efforts to increase student achievement. He further explained that when a district is relying on supplementals, there is a need to look at how the current funding formula is working.

Mr. Ott explained that he did not have permission to release district by district information. He further explained that 20 districts have declared a financial emergency. He reported that there is a need to think about consolidating school districts but that it is not a solution. He further reported that he has received phone calls from districts asking if they can close their doors and one district wants to close doors at the end of April. He explained that this would seriously impact achievement levels of students in those communities.

He further explained that he does not have a solution and that there is a need to continue to look for every revenue the state can find.

Mr. Ott clarified that the districts asking for supplementals consist of a cross section and most of them are in smaller rural areas.

In response to a question regarding how the districts are handling the unfunded federal mandates, Mr. Ott explained that his association is asking for the requirements for unfunded mandates be relaxed and that there is a need to have a moratorium on the dates in which schools are required to meet certain deadlines. He further explained that curriculum is impacted heavily by these mandates.

In response to a question regarding what steps need to be taken to close a district that is out of money, Mr. Ott explained that he did not know of an instance where the state has done this. **Vice Chairman Shirley** commented that a district in that situation would contact the State Superintendent to decide what to do.

In response to a question as to why consolidation would not be a solution, Mr. Ott explained that perhaps in some areas in the state that this would work very well. He further explained that the Office of Performance Evaluations is scheduled to present a report this afternoon to the Senate Education Committee that discusses the feasibility of consolidation of districts.

Rep. Trail commented that if there are schools that cannot pay the bills, there could be statewide implications.

Phil Homer, representing the Idaho Association of School Administrators addressed the Committee. He suggested five areas in the current budget that could help school districts meet their financial obligations in 2011. These areas include; continue to waive the "use it or lose it" piece of the current salary allocation model which will allow school districts to hire below the funded staff allowance and use five percent of the funding saved for use in other areas of the budget; remove the local maintenance match for student occupied buildings; allow districts to maintain their bus depreciation funds in their general fund account, waiving the current requirement to transfer them to the transportation fund account; remove fees charged local school districts by the State; and allow districts to transfer funds from the School Plant Facilities fund to the general M&O fund. He explained that these funds would be one time funds to be used for one time expenditures.

Chairman Nonini assumed the chair.

In response to a question regarding which of his five suggestion would require legislation, **Mr. Homer** explained that all of the suggestions are in Code with the exception of the transportation issue.

In response to a question regarding if there was a correlation of the districts that did not reduce funding for teachers or administrative salaries and those who asked for supplemental levies. **Dr. Davis** explained that he did not run that analysis.

He explained that about 73% of staff costs comes from state funds and the rest are from local funds.

In response to a question regarding if schools have looked into the possibility of energy savings, **Dr. Davis** explained that districts have done energy audits and the next step would be to apply for additional federal funds to allow a contractor to come in and make the school more energy efficient. He further explained that sometimes the repairs to make the school more energy efficient costs more than the potential savings.

Dr. Davis clarified that the report he provided covers 2009 and 2010. He also clarified that all of the districts have had a decrease in funds this past year.

In response to a question regarding the Plant Facilities Fund at local school districts, **Mr. Homer** explained that about 50 districts have money in the fund and some districts could have sizable amount.

In response to a question regarding the amount of property taxes people pay in certain school districts, **Dr. Davis** explained that there are equity issues.

Sherri Wood, President of the Idaho Education Association addressed the Committee. She explained that she represents the 13,000 educators in the state. She reported that Idaho public schools have the 9th most crowded classrooms in the nation and the average teacher salary ranks 41st in the country. She further reported that teachers are already doing more with less. She explained that public education could be cut as much as \$155 million and this will damage students. She explained that there is a need to add more revenue; including ideas such as collecting all of the taxes due to the state, put grocery the tax on hold, and eliminating sales tax exemptions. She further explained that the IEA recommends letting each district find its own way to handle the shortfall.

Karen Echeverria, Executive Director of the Idaho School Boards Association addressed the Committee. She explained that the Association would appreciate if the JFAC Committee would set the public education budget earlier than March 1st. She reported that districts could receive cuts between 10 and 12% this year and her Association is busy training districts how to declare a financial emergency. She further explained that as district fund balances are drawn down, she expects many districts to declare emergencies this year. She reported that districts who declared last year can declare again as long as they meet the criteria set out in statute. She reported that districts need more flexibility at the local level and also need a combination of a lump sum and some line items in budget. She explained that she is currently putting together a plan of what that would look like and hopes to work with Superintendent Luna.

Superintendent Luna addressed the Committee. He explained that it is important for legislators to remember that one of the components of **H 252**, which allows districts to declare a financial emergency, is a requirement that school districts spend down their funds before they can make adjustments to teacher contracts. He further explained that the State Department sent districts less money for teacher pay.

He also explained that if a school fails to meet their financial obligations, the matter would be addressed in district court. The State Superintendent would appoint a district administrator to make sure the needs of the students are

being met. He further explained that if a school is not able to meet its financial obligations, the bonds would be guaranteed by local tax payers.

Supt. Luna gave an update on the information he provided to the Committee previously. He explained that the reduction in the public schools budget will probably be higher than the \$135 million that the Governor proposed. He also explained that the additional revenue of \$22 million from the Public Schools Earning Reserve fund is down from the original \$55 million that he asked for. He identified six specific areas that could be cut including; freezing the experience movement of the salary funding grid for a second year, eliminating the early retirement incentive program, eliminating transportation reimbursement for field trips, reducing the classroom supplies to \$200 a year from \$300 a year, eliminating the 99% ADA protection and combining technology and textbooks and reduce the total funding. He explained that some of these suggestions would take legislative action. He further explained that in order to maintain the successful programs that the Department currently has, he is proposing a 5.97% cut to several line items including; transportation, exceptional contracts, programs for expectant or delivered mothers, salaries and benefits, IDLA, the Math and Reading Initiative, limited English proficiency, gifted and talented, ISAT remediation and discretionary funds. He explained that these cuts will have a negative impact on student achievement.

Rep. Wills commented that intent language should be inserted with these proposed cuts to compensate in some of the areas.

Supt. Luna explained that flexibility should be given in discretionary funds. In response to a question regarding if funding could be used from other sources to not cut funding for the Idaho Digital Learning Academy (IDLA), Supt. Luna explained that the State Department already provides some flexibility in salaries and state paid benefits for virtual learning. He further explained that **Donna Hutchison**, director of the IDLA, would be better to ask if the IDLA can operate on less funds. He explained that it is not wise to eliminate this program and the best approach is to trim them all an equal percentage. He also explained that dollars are not distributed to districts equally.

In response to a question regarding if the growth projection for the support units is accurate for the next year, **Supt. Luna** explained that he felt that the number may be too low. He explained that there were 3,500 more students this year than last and that student growth is based on how many students born 5 years ago, and is not based on the economic situation.

In response to a question regarding the cost of districts carrying health insurance for their employees and switching that coverage to the state, **Chairman Nonini** explained that one the problems is that the state covers spouses and dependents and school districts cover the employee and the employee has to pay extra for their spouse or dependent. He further explained that if the state paid for spouses and dependents, it would cost considerably more.

In response to a question regarding the expectant and delivered mothers program, **Supt. Luna** explained that this line item has been part of the public schools budget for many years and it refers to the Marion Pritchett school in

the Treasure Valley. **Chairman Nonini** commented that funding for this school is a line item that is a better discussion for the State Board.

In response to a question regarding what would happen when a school district fails, **Supt. Luna** explained that he does not know the specific details. He further explained that the State Department is constitutionally charged to make sure children have a free public school system available to them.

Jason Hancock explained that the information regarding property tax rates could be found on the Department's website under tax levies for school purposes.

Supt. Luna concluded that the Department wants to do what is best for children of the state by preserving teacher student contact hours and preserving programs to help children.

Rep. Wills suggested that the Chairman endorse what **Supt. Luna** has suggested this year to meet the budget crisis. He further suggested that the Chairman recommend that the JFAC Committee insert intent language for flexibility in using discretionary monies.

Committee discussion following and the following ideas were mentioned; the JFAC Committee should not insert intent language in the appropriation bills and it is important to protect student teacher contact time and reasonable class sizes.

Chairman Nonini commented that he would like to include in his remarks to the JFAC Committee that programs should be protected because of their success in raising student achievement. **Rep. Boe** commented that she would like to see some of these programs suspended until the financial situation is a little better. Chairman Nonini explained that money for the math and reading initiatives comes from the Superintendent's Office and suspending these programs will not give the districts more money. He further explained that there has been a dramatic increase in the number of schools making AYP and it would be hard to argue to not fund these initiatives as they contribute to student success.

Rep. Boe commented that she has heard that teachers can do without the money for classroom supplies and districts would like flexibility in using discretionary funds.

Chairman Nonini clarified that the JFAC Committee could strike out specific line items in the public schools budget.

Rep. Marriott commented that he feels that the districts are dealing with unfunded mandates and suggested that the additional math requirements for 2013 graduates are causing budget problems.

Chairman Nonini commented that the additional requirements is a rule of the State Board and his concern is that some districts already require additional math classes and if this is suspended, some students in other districts will be shortchanged.

Vice Chairman Shirley commented that it is important to maintain funding for the Idaho Digital Learning Academy and other virtual education because of their value, especially to the rural school districts.

Rep. Chew commented that there are ways to increase revenues without increasing taxes. She further commented that the state should more aggressively go after unpaid taxes.

Rep. Pence commented that setting the public education budget in a timely fashion is important to the districts. She explained that the sooner the decision is made, the better for the districts.

Vice Chairman Shirley commented that legislative intent language has value in some cases and is a tool that can accomplish a short term fix.

Chairman Nonini thanked the Committee members for their comments.

ADJOURN:

There being no further business to be brought before the Committee, **Chairman Nonini** adjourned the committee at 10:50 A.M.

Representative Bob Nonini
Chairman

Claudia Howell
Secretary

MINUTES

HOUSE EDUCATION COMMITTEE

DATE: February 18, 2010

TIME: 9:30 A.M.

PLACE: Room EW41

MEMBERS: Chairman Nonini, Vice Chairman Shirley, Representatives Trail, Block, Nielsen, Wills, Chadderdon, Shepherd (8), Marriott, Thayn, Gibbs, Hartgen, Thompson, Boe, Pence, Chavez, Durst, Chew

**ABSENT/
EXCUSED:** Vice Chairman Shirley, Representatives Trail and Block

GUESTS: Eric Exline, IEA; Dr. Bruce Gestrin, IEA; Mark Murdock, Troy Ed. Assoc.; Julie Dillehay, Vallivue Ed. Assoc.; DeeAnn Jones, Vallivue Ed. Assoc.; Heidi Waisanen, Genesee Ed. Assoc.; Mary Luff, Meadows Valley Ed. Assoc.; Warren Baab, Whitepine Ed. Assoc.; Jolene Dockstader, Jerome Ed. Assoc.; Denice Christransen, Shoshone Ed. Assoc.; Michelle Powell, Shoshone Ed. Assoc.; Stacy Albrecht, Moscow Ed. Assoc.; Denise Ronzzo, Lewiston Ed. Assoc.; Rhonda Seitz, Nezperce Ed. Assoc.; Sarah Hatfield, Notus Ed. Assoc.; Howard Kimmel, Ririe Ed. Assoc.; Donna Hill, Shelley Ed Assoc.; Sherri Wood, IEA; Penni Cyr, Moscow Ed. Assoc.; Annette Haag, Clearwater Ed. Assoc.; Barbara Crow, Coeur d'Alene Ed. Assoc.; D'Lisa Penney-Pinkham, Lapwai Ed. Assoc.; Susan Haffner, Gooding Ed. Assoc.; Randy Wilson, Gem County Ed. Assoc.; Susan Hamby, Twin Falls County Ed. Assoc.; Renee Dith, Twin Falls County Ed. Assoc.; Trina Ciocca, Wendell Ed. Assoc.; Debra Mathews, Hansen Ed. Assoc.; Bert Marley, IEA; Jason Kreizenbeck, Governor's Office; Brian English, Mountain Home Ed. Assoc.; Gary Romel, IEA; Ken Sare, IEA; Carol Warden IEA; Kim Brocke, Middleton Ed. Assoc.; Brent Carnduff, Blaine County Ed. Assoc.; Camille Wells, State Dept. of Ed.; Marty Peterson, University of Idaho; Bruce Newcomb, Boise State University

Chairman Nonini called the meeting to order at 9:35 A.M. He introduced **Sherri Wood**, president of the Idaho Education Association. Ms. Wood introduced educators from across the state including local unit presidents. She explained that the teachers were present for training and to visit their legislators. Ms. Wood asked if the Chairman could repeat his comments he made earlier in the JFAC Committee for the audience.

H 544: **Rep. Bedke** presented this bill to the Committee. He explained that the Public Education Stabilization Fund was created several years ago, and a similar fund for higher education should have been created at the same time. He further explained that this legislation addresses the differences between the institutions of higher education by creating a new section of code. He explained that funding for this initiative is generated from two revenue sources flowing into three accounts. The first account is established through the interest generated from the submission of tuition and fees to the State General Account.

He explained that the schools that currently use this account include Idaho

State University, Boise State University, Lewis-Clark State College and Eastern Idaho Technical college. He further explained that the interest in the account is approximately \$114,000 which would flow out to the institutions on a pro-rated basis with about 70% going to BSU, 21% to ISU, 8% to LCSC and a fraction of 1% to Eastern Idaho tech college.

Rep. Bedke explained that the second and third accounts are funded through the appropriation of surplus monies in times of economic abundance and would be distributed to each of the community colleges in the state. He further explained that these funds will be disbursed at the will of the legislature based upon established allocation practices utilized by the State Board of Education.

MOTION:

Rep. Thompson made a Motion to send **H 544** to the Floor with a **DO PASS** recommendation.

Rep. Bedke explained that the funds would be able to accommodate any dramatic changes in enrollment in the state. He further clarified that when the JFAC Committee appropriates funds, they are sent to the State Board of Education and the Board then disburses the money to the institutions.

In response to a question regarding the percentage in which the fund would be disbursed to the institutions, **Rep. Bedke** explained that the colleges in the first fund would be by percentage and the money going to the community colleges would use a formula that would better represent the student population. He further explained that there is plenty of room in legislation to accommodate the community college's changing enrollment.

Rep. Bedke explained that the interest in the first account is generated from student fees and tuition. He further explained that currently the University of Idaho does not put this money into the state account. He also explained that one of the benefits of this legislation is that it standardizes how colleges handle interest accounts.

In response to questions regarding Eastern Idaho Technical College, **Rep. Bedke** explained that this college is handled as a professional technical school and is funded separately from the JFAC Committee. He further explained that there is a professional technical component of Lewis-Clark State College and Idaho State University that are funded differently as well. He reported that this legislation creates an account for each of these institutions in a fair way.

Rep. Bedke explained that if community colleges want to participate in the first account of this fund they would be able to make that choice.

Jason Kreizenbeck, Chief of Staff for Governor Otter, spoke **in support of H 544**. He explained that the Governor is one of the co-sponsors of this legislation. He further explained that the current Public Education Stabilization Fund has been a great tool for the Governor in putting together his budget proposal. The Governor has utilized about \$172 million in funds for public education to keep them whole in previous budget proposals.

He reported that the creation of the Higher Education Stabilization Fund will

be a useful tool for the future.

**VOTE ON
MOTION:**

On a voice vote, the Motion to send **H 544** to the Floor with a **DO PASS recommendation carried. Rep. Bedke** will sponsor the bill on the Floor.

Chairman Nonini announced that the Committee will not hear **H 546** as the sponsor has requested more time to work on some issues.

Chairman Nonini read his comments he made to the JFAC Committee earlier this morning. He explained that the committee secretary would have an electronic version of his comments for any interested parties.

He expressed his appreciation to the IEA for bringing all of the educators to the Committee meeting and encouraged Committee members to meet with educators from their legislative district.

ADJOURN:

There being no further business to be brought before the Committee, **Chairman Nonini** adjourned the meeting at 10:20 A.M.

Representative Bob Nonini
Chairman

Claudia Howell
Secretary

MINUTES

HOUSE EDUCATION COMMITTEE

DATE: February 19, 2010

TIME: 8:30 A.M.

PLACE: Room WW02 Senate/House Auditorium

MEMBERS: Chairman Nonini, Vice Chairman Shirley, Representatives Trail, Block, Nielsen, Chadderdon, Wills, Shepherd (8), Marriott, Thayn, Gibbs, Hartgen, Thompson, Boe, Pence, Chavez, Durst, Chew

**ABSENT/
EXCUSED:** Representatives Block, Hartgen

GUESTS: Dallas Clinger, ID School Boards Assoc. (ISBA); Larry Brown, ISBA; Wayne Freedman, ISBA; Burton D. Allen, ISBA; Mary Vagner, ISBA; Frank Brady, ISBA; Marianne Donnelly, ISBA; Jackie Connor, ISBA; Anne Ritter, ISBA; Tim Bertling, ISBA; Melanie Staples, ISBA; Maria Nate, ISBA; Richard Cook, ISBA; Barb Skogsberg, ISBA; Jennifer Brock, ISBA; Trevor Empay, ISBA; Randi Hanson, ISBA; Chantel Reddise, ISBA; Roy Braun, ISBA; Tracie Anderson, ISBA; Heather Williams, ISBA; Lucinda Rogers, ISBA; Joe Slima, ISBA; Elaine Bryant, ISBA; Todd Wells, ISBA; Kim Brackett, ISBA; Lisa Knudson, ISBA; Glenn C. Eastman, ISBA; Jan Sylvester, ISBA; Russell Hammond, ISBA; Julie VanOrden, ISBA; Vern Newburg, ISBA; Bill Hemenway, ISBA; Hazel Bauman, ISBA; Vickie Chandler, ISBA; Karen Echeverria, ISBA

Chairman Nonini called the meeting to order at 8:35 A.M. and welcomed members of the School Boards Association.

Karen Echeverria, Executive Director of the Idaho School Boards Association (ISBA) introduced **Wayne Freedman**, president of ISBA from Council, Idaho who addressed the Committee. He introduced executive board members and acknowledged the other board members present.

He reported that he recently attended a national conference of school board presidents and learned that other states are in more difficult economic times than Idaho. He explained that in Oregon, education is already faced with a 14% reduction in funding and this year they are facing a 20% cut.

He explained that in the future there is a need to be aware what is going on globally in education. He further explained that the global economy is exploding. He suggested that cuts in education funding should not stop all progress, but there is a need to proceed thoughtfully.

He shared with the Committee a letter from Oklahoma regarding the Idaho Digital Learning Academy. He explained that Oklahoma plans to use the IDLA's model for their state.

He thanked the legislature for their investment in the IDLA and the Idaho Education Network (IEN).

He explained that the IEN fits a unique role and provides communication

between districts. He further explained that the IEN and the IDLA play two different roles in education. He reported that the IEN gives districts the opportunity to coordinate with other districts and the IDLA provides the flexibility needed to coordinate with other school's schedules.

Mr. Freedman explained that the ISBA is training trustees in districts to coordinate with other districts and is encouraging consolidation of services in districts, particularly in rural school districts. He further explained that districts are sharing teachers and administrative leadership. He reported that he met yesterday with the School Administrators Association to work on coordinating efforts. They are working with other stakeholders in looking at policy and vision and the practical aspects of education and hope to be united in their efforts.

Mr. Freedman explained that the ISBA encourages flexibility for local control. He explained that cuts will affect districts differently and at the local level, districts are making some unusual and creative decisions in facing cut backs. He further explained that the ISBA will look at where districts are at the end of next year, and hopefully feel that they have not gone backward.

Chairman Nonini commented that members of the Committee support the IDLA and have seen the success of this program. He explained that there are concerns about the autopilot funding system of the IDLA. He further explained that the Governor does not want to eliminate this program, but the autopilot funding needs to be looked at. He explained that additional math and science requirements will require more use of IDLA. He reported COSSA (Canyon, Owyhee School Service Agency) is a great model of an alternative high school shared among five districts and they have been doing it successfully for years. He explained that in tight budget years the possibility of consolidation is important. He further explained that stopping all progress is not an option. He reported that Idaho is leading the country in AYP and the number of districts achieving AYP has increased from 26% to 66%.

Chairman Nonini further commented that the Committee has been hearing about flexibility at the local level and has also heard concerns about the waiving of "use it or lose it" provision. He also commented that no one wants to see teachers lose jobs or see class size increased. He explained that when the districts ask for flexibility, they should proceed with caution and not affect the safety of children.

Chairman Nonini explained that he recently has been given a copy of an analysis of base salaries for 2009 and 2010. He reported that a number of school districts gave salary raises to teachers and administrators. He explained that he understood the move of educators across the salary grid and also some educators have multi year contracts. He expressed his concern regarding the amount of administrators that received pay raises. **Mr. Freedman** responded that he is from Council and that the administrators in Council received a reduction in salary and they are paying for their own transportation and professional fees. He reported that administrators also wore multiple hats.

Mr. Moorer, Vice President of the Executive Board for ISBA, responded that decisions that were made last year regarding pay raises were based on entitlements based on the statute. He explained that in law, continuing contracts cannot provide any reduction in the base. He further explained that if a decision was made last year it is hard to justify that today. Mr. Moorer explained that administrators have continuing contracts. He further explained that administrators have been performing evaluations which increase work loads. He explained that there is a need to look at how close districts are to their budgets to see how money was spent at the local level.

Mr. Freedman explained that some of educator's contracts have to be signed in February and the full extent of budget problems were not known at that time. He further explained that some of the administrators took on additional responsibilities. He reported that some districts can pass supplemental levies and they would have more resources to apply to salaries.

In response to a question regarding ISBA's plans to improve communication with other stakeholders, **Mr. Freedman** explained that they have initiated conversations with the leaders of the School Administrators Association and they have been talking about how their organizations can participate together in the development of legislation early in the year, but he was not sure how it will be structured.

In response to a question regarding the possible misunderstanding about discretionary spending, **Mr. Freedman** explained that people at the local level can make decisions as to what is best for them. He further explained that the districts constantly worry about requirements passed down to them and try to do what is best for the kids. He explained that if a rule is given to them, they decide if they can do it creatively and how they can apply it and make it work. He further explained that it does put strain on them when rules are passed down without the funding to implement them.

Vice Chairman Shirley commented that budget issues are a huge concern and the JFAC Committee will soon be setting a dollar amount. He explained that the public education budget consists of line items for various programs and a lump sum for districts to use. He further explained that it is possible to make a modification; the legislature could preserve some of line items and still give discretionary funds for districts. **Mr. Freedman** explained that the issue is where one draws the line and how to choose which programs to keep and which to give flexibility in funding. He further explained that resources are allocated to the state from federal funds and the state has the freedom to do what they want. He explained that the districts need to be trusted to have that same value for programs working at the local level. He further explained that things are more effective in one district than in a neighboring district. He reported that line item budget says every district needs it and that is not always the case. He further reported that the freedom to make choices at district level is important. **Vice Chairman Shirley** explained that when the JFAC Committee makes a decision it could be done by intent language and the rest could be given discretion. He further explained that if intent language is used, this only lasts one year.

Chairman Nonini commented that if the districts had this freedom and flexibility with funds, his concern is that this money would end up on the negotiation table. **Mr. Freedman** explained that teachers know there has to be a cut made and they understand this.

Rep. Durst suggested that it would be beneficial if the state funded salary based apportionment in one bucket and everything else in another bucket. One payment could be given to the districts for salary apportionment and one payment could be used for discretionary funds. **Mr. Freedman** responded that this kind of funding would in some ways protect relationships with teachers if they knew that is all they get.

In response to a question regarding if changes are needed in the legislation passed last year allowing school districts to declare financial emergencies, **Karen Echeverria**, explained that raising the fund balance for school districts to declare a financial emergency has been discussed.

Chairman Nonini expressed his appreciation to the members of the School Boards Association for their attendance at the Committee meeting. He reported that JFAC voted this morning to adopt a budget to keep public education whole through 2010, but they will be going into the 2011 budget with a decrease.

Chairman Nonini announced that today was the last day for the House Page, **Dani Olsen**, and thanked her for her service to the Committee for the past six weeks. He presented her with a card and watch from the Committee members.

ADJOURN: There being no further business to be brought before the Committee, **Chairman Nonini** adjourned the meeting at 9:45 A.M.

Representative Bob Nonini
Chairman

Claudia Howell
Secretary

JOINT MINUTES

SENATE EDUCATION COMMITTEE
HOUSE EDUCATION COMMITTEE

- DATE:** February 22, 2010
- TIME:** 9:00 a.m.
- PLACE:** Room West Wing 02 House/Senate Auditorium
- MEMBERS PRESENT:** Co-Chairman Goedde and Senator Schroeder
- Co-Chairman Nonini, Vice Chairman Shirley, Representatives Trail, Block, Wills, Sims (for Chadderdon), Shepherd (8), Marriott, Thayn, Gibbs, Thompson, Boe, Pence, Chavez, Durst and Chew.
- MEMBERS ABSENT/ EXCUSED:** Vice Chairman Mortimer, Senators Schroeder, Andreason, Fulcher, Pearce, Winder, Malepeai, Kelly, Representatives Nielsen and Hartgen
- 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:** **Co-Chairman Goedde** requested that **Co-Chairman Nonini** Chair the meeting and he accepted.
- Co-Chairman Nonini** called the meeting to order at 9:05 a.m. and a silent roll call was taken. He announced that **Representative Kathy Sims** had been sworn in and would be substituting for **Representative Chadderdon** today and then introduced the presenter; **Matt Barkley**, President-Elect of the Idaho Music Educators Association.
- Matt Barkley** introduced **Peggy Wenner , Ph.D.**, Idaho State Department of Education Arts and Humanities Coordinator, to share her portion of the presentation.
- PRESENTATION:** **Peggy Wenner** explained a "Learning Pyramid" process that is used as a learning tool. Teachers are asked to fill out a blank pyramid with what their best practices are then they review and compare their results to the filled in pyramid. They are quite often surprised to find that there is a 98% effectiveness in the creativity area . She expressed the opinion that in this 21st century that all students need to acquire critical thinking skills in the Humanities Standards and that only 63% of schools completing this exercise claim to be familiar with the Standards.
- She continued her presentation with information on Arts Powered Schools Summer Institute, Attorney General's Music Project, Arts Powered Learning, presented a Survey of Arts in Idaho Statistics and Significance of Creativity in learning. (Power Point presentation on file)

Ms. Wenner concluded with an example of what they were able to accomplish with a small amount of funding by reading a letter from an at-risk student that had attended one of their programs. It stated that "if they had not had this experience, we would not know what we could do."

PRESENTATION: **Matt Barkley** then shared his Power Point Presentation (copy on file). He started with the statement, "...that as cuts continue, know and understand that most students only have the opportunity to receive music education once every six weeks and in relationship to this statement, take into consideration how successful would most readers be if they only received reading instruction once every six weeks...". He further stated that the arts have become elitist. It is proven that students are more successful in all aspects of their education when music is included. The funding should be increasing rather than decreasing once again. In his presentation he included the Importance of Performing and Fine Arts Education in Idaho, showing with research which reveals a strong correlation between quality Music Education and higher scores on SAT's. He stated that this could make a difference of whether a student is accepted to their choice of college or not. He further stated that not only are their SAT's higher but they are higher college achievers and shared the fact that 66% of Medical School admittees are Music Majors.

Matt Barkley shared a slide of what the Association supports. They maintain that Music should be a CORE subject, that it should be taught to all students and it should be taught in all grades and it should be taught by Highly Qualified Educators. He showed a graph that indicates that there has been a steady increase in enrollment for grades 9-12 in Idaho since 2002-03 however we have seen numbers decrease in the performing arts. He then asked, "What do we do now?". The Associations suggestions were listed as 1, Change Idaho Code to reflect the arts as a CORE subject as directed under ESEA, 2, Have time requirements for elementary music, 3, Add performing/fine arts credit requirements in middle school and 4, Add performing/fine arts credit requirements in high school, to begin with to match neighboring states requirements.

Matt Barkley included the questions of "How do we generate revenue to prevent cuts to education?" He suggested as in many other avenues of education in this economic environment, by allowing "creativity and flexibility" to our Districts in regards to the use of their funding from the state. He suggested several ideas including adding a \$.01 state sales tax dedicated to funding education. He then asked that if you do cut then please, draft legislation to prevent the possible reductions from eliminating programs that have state standards, give districts more local control with state funds, eliminate or suspend the Direct Writing Assessment (DWA), Direct Math Assessment (DMA), and Idaho Reading Initiative (IRI), and suspend implementation of High School and Middle School Reform.

He implored that committee to "Give Our Children the Advantages of Music." He ended by sharing a letter from a student that stated how a music teacher, Mrs. Bell, had touched her life. He also invited the committee to attend the IMEA All-State 2010 Choir-Band-Orchestra

concert Saturday, March 20th at Northwest Nazarene University and apologized for being emotional during the presentation.

Co-Chairman Nonini told **Mr. Barkley** that he never need apologize for his passion. He shared the facts that we understand how he feels about the subject and that his wife shares the same passion to the extent her first degree was in music. **Co-Chairman Nonini** asked if there were any questions from the committee.

Representative Trail asked **Matt Barkley** to clarify the SAT slide scores. He asked how he defined "music student". Does the definition include all 3 or 4 years of high school?

Matt Barkley stated that the SAT's test includes is a survey which asks students about their experiences so the information is based on what the students include/exclude on that survey.

Representative Chavez agreed with the chair, that he did not have to apologize for a passion. She shared a story about an at-risk student she had taught in middle school. She found that when she played music while teaching math that the students would sit and listen. Thereafter, she played music every day and they were more calm and seemed to learn more. With this in mind, she asked if there was any research that shoed this type of impact on at risk students or students that come from bad home situations and how can we translate that back into the math and science areas?

Matt Barkley shared that there was a study from University of California, Los Angeles, of all groups, that showed no matter what the case or what the backgrounds were, most students improved when music was used in a learning situation more than those who did not have the music participation. He added that he has students that have been on parol and only attended class because of the music involvement.

Representative Durst shared that his wife recently attended a IAS campus and she has shared positive information with him about this program. She is not in the arts, she teaches science and Spanish, however she feels that it can add to those at risk students.

Representative Trail stated that the movie "Mr. Hollands Opus" illustrates the information highlighted today how the music positively impacts students as well as the families.

Co-Chairman Goedde said that some local districts supplement many programs and asked if he was aware of any districts that are targeting the music programs?

Matt Barkley stated that he is new to his position so is not aware of any. However, he read a letter from a Genesee teacher that included a statement about possible cutbacks due to a lack of tax support from the community. Post Falls is adding a levy next year to build an auditorium at his school.

Co-Chairman Nonini inquired about band trips this year.

Matt Barkley had spoken to a Twin Falls choir director who is having to direct both the middle school and high schools choirs. They had no field trips planned. Also, in Genesee a former student that is now a teacher is at risk of losing her music job since this is her first year so she is low on the totem pole.

Representative Marriott added reinforcement comment that a Snake River teacher found added success with always having background music playing with the requirement that there were now words.

Co-Chairman Nonini asked Mr. Barkley that short of code changes regarding arts and school how do they help with the flexibility in funding usage? Is it up to teachers to support keeping the programs?

Matt Barkley answered that the trustees do need the flexibility to be successful. He had spoken to Superintendent Keane is a big supporter of arts in Post Falls.

Representative Block commented that it would be a wonderful situation if we could find a way to teach students to read music the same time they are learning to read whether they pursue it as a career or not. If they could be exposed to it then whether they are listening, participating in church or community chorus or even orchestra, without the ability to be familiar with music, it is easy for that person to back away from participation.

Matt Barkley agreed and added that Math is required but music and the arts are not. Music teachers, especially on the secondary level have to recruit students. With so many other required subjects that they are forced into they are only allowed one elective for the most part. Some students are actually taking online courses so they can be involved in music at school

Co-Chairman Nonini shared a bumper sticker he had seen that says, "If you can read this thank a music teacher."

Co-Chairman Nonini expressed appreciation to both Committees and thanked Matt Barkley for the informative presentation. He announced that House Education Committee would next meet tomorrow, February 23rd at 9:50 a.m.

ADJOURNMENT: As there was no further business to come before the joint committee, **Co-**

Chairman Nonini adjourned the meeting at 9:50 a.m.

Senator John Goedde
Co-Chairman

Dorena Schrader
Secretary

Representative Bob Nonini
Co-Chairman

MINUTES

HOUSE EDUCATION COMMITTEE

- DATE:** February 23, 2010
- TIME:** 9 A.M.
- PLACE:** Room EW41
- MEMBERS:** Chairman Nonini, Vice Chairman Shirley, Representatives Trail, Block, Nielsen, Sims (Chadderdon), Wills, Shepherd (8), Marriott, Thayn, Gibbs, Hartgen, Thompson, Boe, Pence, Chavez, Durst, Chew
- ABSENT/
EXCUSED:** None
- GUESTS:** Janet Gallimore, Idaho State Historical Society, Sherri Wood, ID Education Assoc.; Harold Ott, ID Rural Schools Assoc.; Nick Smith, State Department of Ed.; Mark Browning, State Board of Ed.; Miguel Armendando, student, Josh Foster, student, Lisa Patel, student; Amelia Matheson, student; Taylor Davis, student
- Chairman Nonini called the meeting to order at 9:05 A.M. He introduced **Rep. Sims**, who is taking the place of **Rep. Chadderdon** this week. He also introduced the Committee's new page, **Katie Vincent** from Eagle.
- MOTION:** Rep. Chavez made a motion to approve the minutes of the February 16th, 2010 meeting as submitted. **On a voice vote, the motion carried.**
- MOTION:** Rep. Chavez made a motion to approve the minutes of the February 17th, 2010 meeting as submitted. **On a voice vote, the motion carried.**
- MOTION:** Rep. Thompson made a motion to approve the minutes of the February 18th, 2010 meeting as submitted. **On a voice vote, the motion carried.**
- MOTION:** Rep. Thompson made a motion to approve the minutes of the February 19th, 2010 meeting as submitted. **On a voice vote, the motion carried.**
- H 579:** **Rep. Trail** presented this bill to the Committee. He explained that the idea for this legislation came from a concern from a constituent in the Moscow school system whose children took high school math classes while in middle school, but did not receive credits on their high school transcripts. He further explained that this legislation goes along well with the recent legislation proposed by **Rep. Thayn** and **Rep. Durst**.
- He explained that this legislation provides for the encouragement of gifted students by allowing a student who completes any required high school course with a grade of "C" or higher before entering the 9th grade shall be given a grade for the successful completion of that course and credit hours for that course shall be transferred to the student's high school transcript if the course and the teacher meet certain requirements. He explained that sideboards in the legislation was proposed by the Department of Education.
- He further explained that students in the final year of high school must take

two semester credits in mathematics and this legislation would not apply to senior projects.

In response to a question regarding why the “C” grade is a benchmark, **Nick Smith**, from the Department of Education responded that passing a course with a “C” grade or higher is already in State Board rule and this legislation would be consistent with this rule. He further explained that the course would consist of content standards which have already been approved by the Committee.

Vice Chairman Shirley commented that the use of term “gifted students” is somewhat inconsistent with the “C” grade benchmark. He suggested that the title of the legislation could be changed to the encouragement of “motivated” students. **Rep. Trail** explained that more appropriate wording would be possible.

In response to a question regarding how middle school students access high school classes, **Rep. Trail** explained that it varies by district and in the Moscow school district, middle school students can take advanced courses through the high school or the Idaho Digital Learning Academy.

MOTION:

Rep. Durst made a Motion to send **H 579** to the Floor with a **DO PASS** recommendation.

Rep. Thayne commented that he personally knows of an instance where a student had taken an advanced class and did not receive the credit for this class on their high school transcript. He further commented that if a student is doing the same work, they should be getting the same credit.

In response to a question regarding why the language in the legislation includes “properly certified teacher who meets the federal definition of being highly qualified”, **Mr. Smith** explained that this language insures for credit transferability. He further explained that if a student took advanced credits from a school that was not accredited, another school would not have to accept this credit. He also explained that the students would have to pass content standards for core classes at a “C” level or above.

Rep. Chew commented that the title of the legislation “encouragement of gifted students” would not address all students. **Mr. Smith** explained that it is the intent of the Department of Education for this legislation to apply to all students, not just the students enrolled in the gifted and talented programs.

SUBSTITUTE MOTION:

Rep. Chew offered a Substitute Motion to send **H 579** to **General Orders** to change the word “gifted” to “motivated” in the title on line 10. **Rep. Boe** seconded the Substitute Motion.

Rep. Nielsen commented that a “C” grade could be detrimental to a student in getting a scholarship and suggested that the bar should set higher. **Mr. Smith** explained that the language for the “C” grade comes from the State Board rule. He further explained that if a student receives a “C” grade, they have the option to retake the course for a higher grade.

He explained that some districts average the grades and some districts will

accept the new grade if it is higher.

**VOTE ON
SUBSTITUTE
MOTION:**

By a show of hands, the Substitute Motion to send **H 579** to **General Orders** to change the word “gifted” to “motivated” in the title on line 10 **failed**.

**VOTE ON
ORIGINAL
MOTION:**

On a voice vote, the Original Motion to send **H 579** to the Floor with a **DO PASS** recommendation **carried**. **Rep. Trail will sponsor the bill on the Floor**.

Janet Gallimore, director of the Idaho State Historical Society (ISHS) addressed the Committee. She explained that the Historical Society became a self governing agency last year but are still defined in statute as an educational institution. She explained that ISHS was established as a state agency in 1907.

Ms. Gallimore reported that last January, ISHS hired the first development officer in the history of their agency. She explained that non-general funds increased from 31% to 48% in the last three years. She further explained that ISHS is maintaining its approach of managing by reduction objective, implementing efficiencies and reducing expenses in a manner that maintains high levels of service for Idahoans. She reported that 23% of their proposed budget’s operating revenue is generated through the delivery of services that are valuable to the public. She explained that limiting hours or placing other barriers to access would reduce revenues and threaten their self-sustainability.

Ms. Gallimore reported that some key results in the past year include; membership has increased by 25%, ISHS has implemented three new fund raising events, because of the restoration of the Capitol, the ISHS received four year in-kind matches that leveraged funds invested in the Capitol to meet the \$2 million required grant match and gave them the opportunity to capture \$100,000 of indirect overhead cost recovery, created and implemented a comprehensive grant plan, implemented the Agency’s first annual fund appeal, and non state support increased by 6%, or \$287,200.

Ms. Gallimore testified that the ISHS delivers dynamic educational services, and contributes to Idaho tourism. She explained that the ISHS is a vital part of state government because of their essential services. ISHS is required by statute to provide essential management of, and day to day access to, documents critical to ongoing legal proceedings at all levels of the Idaho judiciary. She explained that the Agency is also responsible for numerous responsibilities under the National Preservation Act.

She explained that a high priority currently is historic preservation review along Idaho’s energy corridor.

Ms. Gallimore reported that their services directly benefit over 100,000 Idahoans annually. She further reported that each year, over 1,000 Idaho students participate in the Agency’s National History Day program. She also explained that the ISHS staff played a vital role in the restoration of the state Capitol building. They provided expertise including research from original documents and the restoration of 559 historic objects.

Ms. Gallimore provided a packet of information for Committee members including specific information about the ISHS's statutory obligations, their annual report and a summary report of services by legislative district.

She explained that when the fall 2009 reductions were implemented, ISHS chose revenue enhancement rather than reduction in services as a key business strategy. The goal is to increase service levels in order to enhance earned income through fee-based service, maintain customer loyalty, and provide the opportunity to underwrite popular and meaningful programs.

In response to a question regarding the art exhibition in Capitol building, **Ms. Gallimore** explained that it is the intention to involve the statewide community and they are looking for galleries or other non profit groups to hang art in the Capitol. She further explained that the art exhibits will change about four times a year.

In response to a question regarding what kind of support is offered by the Historical Society to communities in preserving documents, **Ms. Gallimore** explained that they work with communities on several different levels. She further explained that there is a retention schedule for official government records, and once they reach a certain age, the documents are sent to the state archives. She reported that part of the role of the State Historian is to do state outreach and meet with a number of organizations.

Rep. Boe commented that she has been impressed by the quality of the photographs in the Committee rooms at the Capitol building. **Ms. Gallimore** explained that the Historical Society has about one half million pictures in their collection. She further explained that they contracted out the enlarging and framing of these pictures. Ms. Gallimore explained that the public can order reprints of the photographs that hang in the Committee rooms. Information on these pictures can be found at the Welcome Desk of the Capitol and on the Historical Society's website.

Rep. Hartgen commented that he has served on the Capitol Commission since 1998 and **Ms. Gallimore** has brought new energy in outreach and participation in the State. He further explained that she has excellent marketing ideas in place and is going forward.

Rep. Gibbs reported that the oldest city in the state is Franklin, which is in his legislative district. He invited Committee members to attend their 150th anniversary celebration which will be held the last Saturday in June.

ADJOURN:

There being no further business to be brought before the Committee, **Chairman Nonini** adjourned the meeting at 10:05 A.M.

Representative Bob Nonini
Chairman

Claudia Howell
Secretary

MINUTES

HOUSE EDUCATION COMMITTEE

- DATE:** February 24, 2010
- TIME:** 9 A.M.
- PLACE:** Room EW41
- MEMBERS:** Chairman Nonini, Vice Chairman Shirley, Representatives Trail, Block, Nielsen, Wills, Sims (Chadderdon), Shepherd (8), Marriott, Thayn, Gibbs, Hartgen, Thompson, Boe, Pence, Chavez, Durst, Chew
- ABSENT/
EXCUSED:** None
- GUESTS:** Skip Smyser, Apangea; Martin Bilbao, Connolly Smyser; Glen Zollman, Apangea; Senior Judge Jack Varin; Mike Vuittonet, Meridian School Board; Bert Marley, IEA; Mike Uhling, IEA; Natalie Stone, IEA; Eric Hydelson, IEA; Pam Danielson, IEA; Victoria Ingram, IEA; Christie Sauder, IEA; Dawnetta Earnest, Meridian School District; Buck Wright, IEA; Harold Ott, ID Rural Schools Assoc.; Eric Exline, Meridian School District; Mark Cotner, COSSA; Steven Meade, ID School Boards Assoc.; Sherri Wood, IEA; Mark Browning, State Board of Ed.; Bruce Gestrin, Meridian School District
- Because Chairman Nonini was in another meeting, **Vice Chairman Shirley** called the meeting to order at 9 A.M. He welcomed teachers from the legislative districts 6 and 7.
- MOTION:** **Rep. Thompson** made a motion to approve the minutes of the February 23rd, 2010 meeting as submitted. **On a voice vote, the motion carried.**
- H 545:** **Rep. Jarvis** presented this bill to the Committee. He testified that his number one passion is doing what he can to make education better in Idaho. He explained that the purpose of this legislation is to allow school board of trustees to designate school administrators to identify and help students that are habitually truant in a more expeditious manner.
- He gave a brief history of the legislation. He explained that last June he attended a truancy summit. At the summit he learned that the the younger the student that becomes habitually truant and gets help, the more favorable the results. He further explained that he has spoken with a prosecutor in Kootenai County and he proposed the language that is in **H 545**. The legislation also allows the court to work with students past their 16th birthday.
- Rep. Chavez** commented that while she does not disagree with this legislation, there is a need to have the definition of "designee" more clear. **Rep. Jarvis** responded that he trusts the board of trustees to make the right choice or decision and does not want to confine their choice.

In response to a question regarding how children who are home schooled would fit in to this legislation, **Rep. Jarvis** explained that “instruction as provided” by parents or guardians would not be included in this legislation.

Rep. Jarvis clarified that every school district has their own definition of truancy. He further clarified that the second change in the legislation of “is” to “was” allows juvenile corrections to work with a habitual truant after their 16th birthday.

MOTION:

Rep. Wills made a Motion to send **H 545** to the Floor with a **DO PASS** recommendation.

Rep. Jarvis clarified that the legislation only deals with those habitual truants who turn 16 while in the system and would not be applied retroactively.

In response to a question as to who would make the ultimate decision in truancy cases, **Rep. Jarvis** explained that the school board trustee would make that decision.

Patty Tobias introduced **Judge John Varin**, Senior Magistrate Judge from the Twin Falls area. He explained that he is not in support or opposition to **S 1306**. Judge Varin reported that he did review this legislation found it to be workable. He further reported that truancy is a huge issue and often it does lead into entry into the justice system. He explained that the sooner the courts can become involved, there is a better opportunity to change the behavior. He also explained that the courts are committed to working with school districts and prosecutors need to be involved.

In response to a question regarding parents of children who are home schooled and are not providing instruction, Judge Varin explained that the juvenile courts work with child protection through the Department of Health and Welfare and there are statutes that are applicable to home schooled children. He further explained that if a parent chooses to send their child to school and the child is truant, then parent home schools the child, the courts will indicate to the parent that they have violated the law of truancy. He further explained that courts can track the home schooling process to make sure it is adequate.

Rep. Block commented that Judge Varin is well respected in the Twin Falls area.

In response to a question regarding if caseloads would be increased should this legislation pass, Judge Varin explained that he has not seen any studies concerning this but he doubted there would be a tremendous increase.

Vice Chairman Shirley commented that he has given a lot of latitude with committee member questions and reminded those signed up to testify in favor of **H 545** that there already is a motion on the table to send the bill to the Floor with a DO PASS recommendation. He also asked those who signed up to testify to keep their comments brief.

Mike Vuittonet, a member of the Meridian School Board testified in support of **H 545**. He explained that this is good common sense legislation and it allows school boards to move more quickly in dealing with truancy issues. He further explained that the school board would not be giving up any control.

Dawnetta Earnest, acting assistant principal from the Meridian School District testified in support of **H 545**.

Eric Exline, Public Information Officer from the Meridian School District also testified in support of **H 545**.

VOTE ON MOTION:

On a voice vote, the Motion to send **H 545** to the Floor with a **DO PASS recommendation carried**. **Rep. Jarvis** will sponsor the bill on the floor.

S 1306:

Sen. Goedde presented this bill to the Committee. He explained that this legislation will make two changes in statute dealing with school district property. First, it allows a market value process in which the board may sell real property to the highest bidder. Second the proposed legislation provides statutory authority for the process of purchasing its replacement property and sets a limit of \$5,000 over which an appraisal is required to determine value. This process is standard operating procedure when business upgrades equipment and it is now done in school districts who have no knowledge of current statutes. The legislation also provides for the use of trade ins to offset the cost of equipment purchases.

Rep. Durst commented that he had sponsored legislation in the past that had dealt with this issue and questioned how **S 1306** would relate to the previous legislation.

Sen. Goedde clarified that the board of trustees would make the determination of the appraisal of the property value.

MOTION:

Rep. Gibbs made a Motion to send **S 1306** to the Floor with a **DO PASS recommendation**.

Rep. Durst explained that he would like to have more information on the previous legislation that relates to this bill before he makes a decision.

SUBSTITUTE MOTION:

Rep. Durst offered a Substitute Motion to Hold **S 1306 to time certain Monday, March 1st** to further research previous legislation that may affect this legislation.

Rep. Boe questioned why **S 1306** would not go into effect until Jan 1, 2011. **Sen. Goedde** explained that he did not know the reason for this date and would not be opposed to changing it.

Rep. Durst explained that the previous legislation he was referring to was **S 1450** from 2008 session. He further explained that he did not think there was any conflicting issues with **S 1306**. He explained that it would be useful to hear from the Idaho Housing and Finance Association because it refers to the same section of code.

Mark Cotner, Director of the Canyon-Owyhee School Services Agency (COSSA) addressed the Committee. He explained that COSSA is the oldest consortium in the state. He spoke in **support of S 1306**. He further explained that COSSA is in the process of building a regional technology center in Wilder which will consolidate services into one site. He reported that through this process they will be selling off properties they currently own. He further reported that because of the tough economic times, that the properties they are trying to sell went out for closed bids, but no one has bid on them. They will send them out to bid again. He explained that this legislation would help facilitate this process.

Mr. Cotner explained that an appraisal for commercial property is expensive and to have three properties appraised it cost the district \$5,000. He reported that one of the parcels is a seven acre property with 1950 era buildings surrounded by gravel pits. He explained that the district was told it was worth about \$125,000, but it was appraised at \$270,000. He further explained that **S 1306** will help with this issue.

Mr. Cotner explained that COSSA has been working four years on this project. They have secured federal stimulus funds and have passed bonds to help fund the technology center. He further explained that local industry have been very involved in this process also.

Rep. Thayn commented that the previous legislation mentioned by **Rep. Durst** as having a possible conflict with **S 1306** is **S 1415**. He explained that **S 1450** allows Idaho Housing and Finance Association as another entity that school districts could exchange property and it has no bearing on **S 1306**.

Steven Meade, representing the Idaho School Boards Association explained that the previous legislation would have no effect on **S 1306**.

In response to a question regarding if the effective date of January 2011 in **S 1306** would delay the building process for the COSSA technology building, **Mr. Cotner** explained that COSSA would work with the effective date, but it would delay the process for about six months. **Sen. Goedde** explained that he felt the Senate would agree with an amendment to change the effective date to July 1, 2010.

**AMENDED
SUBSTITUTE
MOTION:**

Rep. Nielsen offered an Amended Substitute Motion to send **S 1306** to **General Orders to change effective date from January 1, 2011 to July 1st, 2010**. Rep. Durst seconded the motion.

**SUBSTITUTE
MOTION
WITHDRAWN:**

Rep. Durst made a unanimous consent request to withdraw his Substitute Motion to HOLD **S 1306** in Committee until time certain, March 1st. There were no objections.

**VOTE ON
AMENDED**

On a voice vote, the Amended Substitute Motion to send **S 1306** to General Orders to change the effective date to July 1st, 2010; **carried**.

**SUBSTITUTE
MOTION:**

Chairman Nonini assumed the chair. Because of the lateness of the hour, the Apangea demonstration scheduled for today will be rescheduled for a later time to allow enough time for a hands on demonstration and questions.

ADJOURN:

There being no further business to be brought before the Committee, **Chairman Nonini** adjourned the meeting at 10:10 A.M.

Representative Mack Shirley
Vice Chairman

Claudia Howell
Secretary

MINUTES

HOUSE EDUCATION COMMITTEE

- DATE:** February 25, 2010
- TIME:** 8:30 A.M.
- PLACE:** Room EW 41
- MEMBERS:** Chairman Nonini, Vice Chairman Shirley, Representatives Trail, Block, Nielsen, Wills, Sims (Chadderdon), Shepherd (8), Marriott, Thayn, Gibbs, Hartgen, Thompson, Boe, Pence, Chavez, Durst, Chew
- ABSENT/
EXCUSED:** None
- GUESTS:** Drew Thomas, Risch Pisca; Robin Nettinga, IEA; Sherri Wood, IEA; Harold Ott, ID Rural Schools Assoc.; Wayne Davis, ID Assoc. of School Administrators; Phil Homer, IASA; Jessica Harrison, ID School Boards Assoc.; Bert Marley, IEA; John Eaton, Realtors Assoc.
- Chairman Nonini** called the meeting to order at 8:40 A.M.
- MOTION:** **Rep. Thompson** made a motion to approve the minutes of the February 24, 2010 meeting as submitted. **On a voice vote, the motion carried.**
- Chairman Nonini** explained that yesterday the Committee voted to send **S 1306** to General Orders to change the effective date. He further explained that the sponsor has since learned that changing the effective date in the bill would not correct the problem. He reported that he has spoken to the sponsor **Sen. Goedde** and **Mark Cotner**, who testified in support of **S 1306**, and they have agreed to leave the bill in its current form.
- Rep. Chavez** commented that it is important to bring up the possible conflict with **S 1306** and the Idaho Housing and Finance Association. **Vice Chairman Shirley** explained that he has spoken to **Rep. Durst** about this issue and he has indicated that he was fine with the bill in the present form. He further explained that the bill has been studied by **Jason Hancock**, from the Department of Education and he indicated that there was no conflict with the previous legislation.
- Rep. Nielsen** Made a Unanimous Consent request to withdraw his motion to send **S 1306** to General Orders. There were no objections.
- MOTION:** **Rep. Gibbs** made a Motion to send **S 1306** to the Floor with a **DO PASS** recommendation. **On a voice vote, the motion carried.** **Rep. Gibbs** will sponsor the bill on the House Floor.
- SJM 103:** **Sen. Goedde** presented this joint memorial to the Committee. He explained that this memorial outlines the need for the federal government to bring IDEA funding to the level promised when Congress originally passed the legislation.

He further explained that the current administration's budget brings funding from under 10% in recent years to 17%, but that number is still short of the 40% funding promised. He also explained that the education of children with disabilities falls to the school districts and that the cost to educate a student with a disability could cost up to \$100,000.

MOTION: **Rep. Nielsen** made a Motion to send **SJM 103** to the Floor with a **DO PASS** recommendation.

Rep. Boe commented that this has been an issue for many years and funding by the federal government for IDEA has always been well short of what they promised. She further commented that she heartily supports this memorial.

On a voice vote, the motion carried. Rep. Nielsen and Rep. Boe will sponsor this Memorial on the House Floor.

RS 19515C1: **Rep. Jarvis** presented **RS 19515C1** to the Committee. He explained that the proposed legislation allows the Board of Trustees to suspend without pay certificated professional personnel upon the issuance of a complaint, an information or indictment for felony charges. It also allows the Board to provide for notice and to provide for reinstatement of benefits and salary if charges of information were without grounds or the employee was found not guilty of such felony.

Rep. Jarvis explained that the proposed legislation outlines that within 15 days of the hearing, the Board shall notify the employee in writing of their decision.

Rep. Wills expressed his concern that the proposed legislation outlines that the employee would be notified by mail and suggested the language be changed to "notified by certified mail". **Rep. Jarvis** agreed that the change to "certified mail" would be appropriate.

MOTION: **Rep. Wills** made a Motion to send **RS 19515C1** back to the sponsor so he could make the change to add "certified" to line 23 on page 3.

Rep. Chavez questioned the use of language on line 20, page 3 of "an information". **Rep. Jarvis** explained that this is legal language and was requested by the Attorney General's office. **Rep. Hartgen** explained that "an information" is a legal term.

SUBSTITUTE MOTION: **Rep. Marriott** offered a Substitute Motion to return **RS 19515C1** to the sponsor. He expressed his concern that a person's constitutional rights would be violated by this proposed legislation and that a person is presumed to be innocent until proven guilty.

Rep. Wills commented that he felt that a person's constitutional rights are covered in this legislation in the previous section of the proposed legislation.

Rep. Nielsen expressed his concern regarding the language on withheld

judgements. **Rep. Jarvis** explained that this language is in current statute and explained that in the proposed legislation, a withheld judgement is when a person is found guilty and then not given the full penalty or is put on probation.

Vice Chairman Shirley commented that the school board can currently suspend teachers with pay who have been accused of a felony and the proposed legislation would allow the board to suspend the teacher without pay.

Rep. Shepherd questioned how the teacher accused of a felony would be able to support their family if they were suspended without pay. **Rep. Jarvis** responded that the suspension would be after a hearing and would be based on a decision by the board of trustees. In response to further questions regarding this issue, Rep. Jarvis related an instance of a teacher in New York who has been charged with a sexual felony and cannot be around students under the age of 18. The teacher continues to receive their pay. He related another instance in Idaho where a teacher who is a confessed sexual felon is continuing to receive a pay check. **Rep. Pence** suggested that the proposed legislation could be more specific to felony sexual charges. She also commented that the proposed legislation is not fair to the individual.

Rep. Durst commented that he agreed with **Rep. Pence**. He further commented that people have the right to due process and the sixth amendment to the Constitution provides rights to those who have been accused. He explained that suspending a teacher that has been accused of a felony without pay puts them at a disadvantage from the legal perspective as they would be unable to hire a lawyer and support their family. He further explained that he has heard stories from teachers who have been accused of improper actions from students that have proved to be false and if they had lost their pay they would have lost their homes.

Rep. Boe commented that she is concerned about having the suspension without an affidavit with probable cause. She explained that people could sue a teacher for a variety of things without cause and without an affidavit showing probable cause is not a valid reason for suspension without pay. **Rep. Jarvis** responded that when a person is in that situation, the school board currently can decide to retain the teacher, discharge them immediately or discharge them at the end of the term. He further responded that with the proposed legislation, it would allow the teacher to keep their job and be reinstated for all lost wages if they are found not guilty. He further commented that the proposed legislation does protect that person who is not guilty.

Rep. Hartgen commented that there is a due process procedure in section 5 of the proposed legislation. He explained that due process as outlined in the proposed legislation provides for a hearing, testimony under oath, representation by counsel and the employee may present evidence. He further explained that the proposed legislation does give discretion to the board; they "may" suspend and they do not have to do so. He commented that the proposed legislation does have protection built in and it is not outside of rights of the constitution.

Rep. Jarvis clarified that the proposed legislation has been reviewed by the Attorney General's office.

Rep. Chavez commented that she felt that the proposed legislation is a punitive measure against a person that may not be guilty. **Rep. Jarvis** responded that the proposed legislation gives the board another option to choose and they could choose the option to suspend the teacher without pay. Currently the board only has the option to discharge the teacher or retain them.

Rep. Marriott related a case in eastern Idaho that a nurse who also taught nursing classes was charged with overdosing her grandmother. She was investigated and ultimately the charges were dropped. She did get her job back, but lost nine months of work. He explained that this was a violation of her rights.

**VOTE ON
SUBSTITUTE
MOTION:**

On a voice vote, the Substitute Motion to return **RS 19515C1** to the sponsor **carried**.

RS 19635:

Rep. Jarvis presented **RS 19635** to the Committee. He explained that rather than school districts paying for two plan reviews, legislation was passed last year to allow them to have only one plan review. The trustees can choose the plan done by the state or the plan done locally. He explained that in Minidoka County, they do plan reviews for cities. He explained that this proposed legislation fine tunes last year's legislation by allowing a local jurisdiction to have agreements with other local jurisdictions.

He explained that the purpose of this legislation is to define who is eligible to do a public school plan review and that the plan review should include building structural and non-structural, mechanical, fuel gas, plumbing, electrical, accessibility, elevators, boilers, and energy conservation.

MOTION:

Vice Chairman Shirley made a Motion to introduce **RS 19635**. **On a voice vote, the motion carried**.

Chairman Nonini thanked **Rep. Sims** for her service to the Committee by filling in for **Rep. Chadderdon** this week.

ADJOURN:

As there was no further business to be brought before the Committee, **Chairman Nonini** adjourned the meeting at 9:25 A.M.

Representative Bob Nonini
Chairman

Claudia Howell
Secretary

MINUTES

HOUSE EDUCATION COMMITTEE

DATE: March 1, 2010

TIME: 8:30 A.M.

PLACE: Room EW41

MEMBERS: Chairman Nonini, Vice Chairman Shirley, Representatives Trail, Block, Nielsen, Wills, Chadderdon, Shepherd (8), Marriott, Thayn, Gibbs, Hartgen, Thompson, Boe, Pence, Chavez, Durst, Chew

**ABSENT/
EXCUSED:** Representatives Trail and Durst

GUESTS: Bert Marley, ID Education Assoc.; Chris Johnson, ID Virtual Academy; Stacy Johnson, IDVA; Ali Johnson, IDVA; Connor Johnson, IDVA; Bryce Johnson, IDVA; Karl Johnson, IDVA; Preston Johnson, IDVA; Christian Johnson, IDVA; Mike Caldwell, ID Digital Learning Academy; Mark Browning, State Board of Ed.; Briana LeClaire, IDVA

Chairman Nonini called the meeting to order at 8:35 A.M.

MOTION: **Rep. Thompson** made a motion to approve the minutes from the February 25th, 2010 meeting as submitted. **On a voice vote, the motion carried.**

RS 19673: **Chairman Nonini** announced that **RS 19673** will be rescheduled for a later time.

S 1338: **Sen. Corder** presented **S 1338** to the Committee. He explained that his intern, **Anneliese Satz** helped with this legislation. He further explained that Elmore County is the home of Mountain Home Air Force Base and students in that district would be affected by this legislation. He further explained that a high school student from a military family could move as much as three to four times in their last two years of high school and this could cause a problem when they get close to graduation. He explained that this legislation establishes the relationship between the State Board of Education and the Interstate Compact on Educational Opportunities. The goal of the Compact is to provide various mechanisms so that graduating high school seniors are not unfairly disadvantaged because of school attendance in multiple states or countries.

Sen. Corder explained that the Compact presented problems for Idaho because of the cost associated with it. He further explained that to accept the entire Compact there would be a fiscal impact. He also reported that if Idaho accepted the entire Compact, the State Board of Education would lose authority over the graduation requirements, and the Compact would be the authority. He explained that this legislation solves these problems.

He further explained that the legislation is asking the State Board to

promulgate rules to accomplish what is set out in the bill and young people would have consistent application. **Sen. Corder** explained that the State Board has assured him that there would be no fiscal impact with the promulgation of rules.

In response to a question regarding if there would be disadvantages for military students by not being a part of the Compact, **Sen. Corder** explained that there could be and the potential is real that a student's graduation would be delayed. He further explained that the mission of Mountain Home Air Force Base is changing, and the pilots are younger with younger families.

Rep. Boe commented she introduced a similar bill last year to have Idaho become a member of a Compact, but did not pass. She explained that she is pleased that **Sen. Corder** has recognized the need to become a member of the Compact. She further explained that she is listed as co- sponsor on this legislation.

MOTION:

Rep. Boe made a Motion to send **S 1338** to the Floor with a **DO PASS** recommendation. **On a voice vote, the motion carried.** **Rep. Boe** will sponsor the bill on the House Floor.

Suzanne Budge, representing the Idaho Virtual Academy, introduced **Desiree Laughlin**, superintendent of the Academy. Ms. Laughlin explained that the Idaho Virtual Academy (IDVA) is the first virtual school in Idaho and was approved by the state in 2002. She reported that IDVA has 2,800 students in grades K-12. The students live all over the state. She further reported that IDVA has over 70 staff, with 650 students in high school programs, 900 students in middle school, and about 1,300 students in grades K-5. She also reported that some families choose IDVA so they can have more parental involvement and they can school their children at home.

Ms. Laughlin explained that IDVA has 312 students with disabilities, which is about the same percentage as public schools. She further explained that IDVA has over 250 students in the gifted and talented program and has a number of students in dual credit program. Ms. Laughlin explained that 50% of IDVA's students would qualify for free and reduced lunch and is a Title 1 school.

She explained that each student has a "learning coach" which is usually the student's mother, but it could be another adult. She further explained that every student is assigned an accredited teacher and some students have more than one teacher assigned. IDVA allows for flexibility in the school day and students can school outside of the state with a web-delivered curriculum. Ms. Laughlin explained that K-12 provides the curriculum for IDVA and that curriculum is the leader in the nation. She explained that the curriculum is multi-sensory and students do not spend all day online. She explained that students receive materials such as microscopes and workbooks delivered to their home. She reported that IDVA has spelling bees, geography bees, field trips, and book fairs with many opportunities for social activities.

Stacy Johnson, a mother of several students in IDVA from Pocatello addressed the Committee. She explained that their family is in the first year with the IDVA. She further explained that one of the reasons they decided to enroll their children in IDVA is that they had a lot of stress trying to fit in homework, chores and other activities and home schooling allows them to spread out their children's activities. She explained that her children are usually at the computers by 7 A.M. and are done by noon with their lessons. She explained that her son, who is in the 7th grade, takes classes at the middle school and her high school student takes two classes at the high school.

Ms. Johnson clarified that IDVA students have the opportunity to take classes year round.

Ms. Johnson explained that in the literature courses the students have the opportunity to pick a novel on the website and every single book has entire lessons mapped out. She further explained that each lesson takes four to five days to complete. She reported that some children share the computer and most of the work for the K-5 students are off line. High school and middle school students have their own computers.

Desiree Laughlin, introduced **Amy Brown**, lead teacher for the Idaho Virtual Academy who participated in the meeting online from Pocatello. Ms. Brown explained that she is in her fifth year with the IDVA. She took several Committee members and 7th grader **Connor Johnson** through an online demonstration lesson on word families. Participants were asked to put words in word families.

Ms. Brown explained that she checks her student's progress and attendance at least once a month.

In response to a question regarding how she would teach an art lesson online, **Ms. Brown** explained that students are given a white screen and can use a pencil and or marker tools and color. She also can draw and scan in artwork.

Ms. Johnson clarified that all of the state administered tests are proctored at a certain location nearby the student.

Ms. Johnson explained that by having her children enrolled in IDVA; it has allowed her family to do traveling through the school year. She explained that her daughter went to Finland recently to go to a ski school and was able to do her lessons online. The family also was able to travel to Hawaii and their children kept up with their classes online.

Connor Johnson, a 7th grade student at the Idaho Virtual Academy demonstrated a lesson from his science unit. He explained that the lesson contains numerous pages of information and at the end there is an assessment to see what the student has learned. He explained that before the assessment, there is a review for the student to complete. He explained that he usually turns in his work by scanning the workbook pages and sends it as an attachment to his teacher. He explained that his mom usually grades his tests. He further explained that last year he did half of the year at regular school then half online.

He explained that he can get work done early in the day and be with his friends when they get out of school.

Mr. Johnson explained that he does not have a magnifying glass on his screen, but it would be helpful for him. He also explained that he takes a band class at the traditional middle school.

Ali Johnson, a 9th grader enrolled in the Idaho Virtual Academy addressed the Committee. She explained that she was not excited at first to be in IDVA because she participates in a lot of sports. She further explained that with IDVA she can finish all of her work in a faster time and does not have to wait for other students. She also can get extra help in subjects. She reported that IDVA allows for easier vacationing.

In response to a question regarding the expense of the materials and what kind of teacher aids are provided to the learning coach, **Ms. Laughlin** explained that the school pays a flat fee per student and it includes all materials. Materials are shipped to the student's home. She further explained that some of the materials are reusable and when a student completes a class, the company sends a shipping label to return the materials. She reported that material return varies according to the course and the makeup of the family.

Ms. Laughlin clarified that a teacher can do live synchronous lessons, or they can do lessons individually or in a group. They also can group students into small groups and lessons can be recorded and reviewed at a later time.

In response to a question regarding the cost of the program, **Cody Clavor**, from IDVA explained that the cost per student is approximately \$5,100.

Ms. Laughlin explained that in addition to the curriculum provided by K-12, IDVA uses Apagea for math and other programs offered by the State Department of Education. She further explained that students are benchmark tested three times a year and they also do statewide testing. She reported that all finals are done face to face and proctored by teachers. She further reported that IDVA out performed other public schools in the state in reading, performed about the same as the public schools in the state in language and did not make AYP in math, but they are working in this area.

Ms. Laughlin clarified that all of the costs for IDVA are paid for by the state and there are no up front costs for the family. She further clarified that the school provides all of the materials along with a loaner computer to the families and internet reimbursement. She also explained that the school uses federal program dollars like any other traditional brick and mortar school. She also clarified that IDVA students are given the ISAT test.

Ms. Laughlin explained that dual credit is earned by the students through Northwest Nazarene College, the College of Southern Idaho, and they are working on an agreement with the College of Western Idaho. Students also have access to AP programs.

In response to a question regarding how many contact hours per week with a certified teacher students receive, **Ms. Laughlin** explained that it varies according to age of the student, but the minimum is one hour a week.

She further explained that the student can telephone or e-mail the teacher. At the middle school level, the student attends classes two to three times a week and it varies according to age and the level of support needed. She also explained that if a student has problems in class, they can e-mail or phone teacher at any time. She clarified that K-12 is a for profit company. She also clarified that teachers work closely with parents, and some parents need more support than others. IDVA also runs a series of parent support sessions across the state.

Ms. Laughlin explained that the reimbursement rate is based on the state's funding formula. She further explained that IDVA is about the same size as the Emmett School District and is funded like any other district. She explained that IDVA does not have any access to local funds.

In response to a question regarding how the Department of Education interfaces with IDVA, **Luci Willits**, from the State Department of Education, explained that the academy is like any other public school. She further explained that if they need technical assistance, they need to contact the Department. She reported that the Charter Commission is their authorizer. Ms. Willits also explained that IDVA teachers must be certified and the state does audit their records for certification. She reported that IDVA has federal and state levels of accountability. The standards are outcome based and all public schools are judged by Adequate Yearly Progress (AYP).

Ms. Laughlin explained that most of the time, the student is interacting with the teacher online. She further explained that IDVA does have many of activities that are done face to face. She clarified that special education programs are done face to face.

Ms. Laughlin explained that K-12 can sell their product directly to a home school family. She also explained that home schooled students are not required to take the ISAT.

In response to a question regarding the cost of the K-12 curriculum if contracted individually, **Cody Clavor** explained that it costs about \$250 per course per student and the student would not get any teacher or support services.

Chairman Nonini thanked the presenters and the Johnson family for their informative presentation and gave the Johnson children House of Representatives lapel pins.

Briana LeClaire, a parent from Meridian and mother of two students in the Idaho Virtual Academy, invited Committee members to attend hands on collective lessons of the Idaho Virtual Academy that are held every Thursday in Boise. She explained that she would provide specific information to the Committee secretary.

Chairman Nonini announced that the Committee will spend time discussing the intent language for the Public Education budget in tomorrow's meeting. He further announced that the Public Education budget will be set in the Joint Finance and Appropriation Committee on Wednesday, March 3rd .

ADJOURN:

There being no further business to be brought before the Committee, **Chairman Nonini** adjourned the meeting at 9:55 A.M.

Representative Bob Nonini
Chairman

Claudia Howell
Secretary

MINUTES

HOUSE EDUCATION COMMITTEE

- DATE:** March 2, 2010
- TIME:** 8:30 A.M.
- PLACE:** Room EW41
- MEMBERS:** Chairman Nonini, Vice Chairman Shirley, Representatives Trail, Block, Nielsen, Wills, Chadderdon, Shepherd (8),Marriott, Thayn, Gibbs, Hartgen, Thompson, Boe, Pence, Chavez, Durst, Chew
- ABSENT/
EXCUSED:** None
- GUESTS:** Drew Thomas, Risch-Pisca; Jason Hancock, State Dept. of Ed.; Phil Homer, ID Assoc. of School Administrators; Harold Ott, IASA; Roger Brown, Office of the Governor
- Chairman Nonini called the meeting to order at 8:35 A.M.
- MOTION:** **Rep. Thompson** made a motion to approve the minutes from March 1st, 2010 as submitted. **On a voice vote, the motion carried.**
- RS 19733:** **Jason Hancock**, from the State Department of Education presented **RS 19733** to the Committee. He explained that this legislation will make it possible for school districts that operate on a trimester or block schedule to allow release time for religious instruction in grades 9 through 12. He further explained currently such districts fall within the maximum periods of release time per week, but are limited by the maximum hours in the requirement section in Idaho Code. He reported that changing the law from having to meet both standards to being able to meet one or the other will bring the law into conformance with State Board rule and allow school districts with trimester schedules to accommodate a full year of release time. He explained that changing this requirement will not relieve students of the requirement to meet any state or school district graduation requirements.
- Mr. Hancock clarified that there is no resistance to the proposed legislation from districts who are currently providing release time.
- MOTION:** **Vice Chairman Shirley** made a motion to introduce **RS 19733**. **On a voice vote, the motion carried.**
- Chairman Nonini** announced that the Committee would review and discuss proposed intent language on public schools budget. He further announced that the public school budget will most likely be voted on in the JFAC Committee tomorrow.
- In response to a question regarding the "minus 2" language in the proposed intent language, **Jason Hancock** explained that this refers to the second year in a row that teacher pay has been frozen on the experience and education grid.
- He further explained that the state will not fund movement across the grid,

and decisions are made at local level. He also explained that the freezing of the grid represents raises that will not be funded, but teachers will not see a loss in their current pay. He reported that the state would save approximately \$10 million from freezing movement across and down the grid. **Rep. Chavez** commented that having an experienced teacher in the classroom is important. She further commented that new teachers are enthusiastic, but experience has a calming effect and is a mentoring piece for new teachers. She expressed her dislike of the option of freezing the grid for a second year in a row and commented that it says to the experienced teachers that the state does not value their experience.

Rep. Durst expressed his concern about the possible impact on students and retention of teachers with the proposed language. He commented that with the proposed intent language, teachers will not get a raise for six years and no other profession does this. He explained by doing this, teachers will be made to feel that they are no more valuable to the system than when they first started teaching. He explained that this language is like using a sledgehammer to fix the education budget, instead of looking at where the state can make the greatest impact. He further explained that a more beneficial outcome would be to say that people after a certain year would have a freeze. He reported that his wife, who is a teacher in her fourth year will not be getting a raise for the fourth year in a row.

Vice Chairman Shirley commented that he agrees that experience is valuable and he feels badly about the salary scale and that beginning teachers are not given raises for several years. He explained that the freezing of the grid would only be for one year and this funding would be reinstated when the economy allows the state to do so.

Chairman Nonini commented that the stakeholders were not unanimous in supporting the proposed intent language and it was give and take on many issues. He further commented that any legislation associated with the intent language would be started on the Senate side.

Mr. Hancock clarified that credits that a teacher takes would accrue and language for freezing the movement on the grid would apply for FY11. He explained that unless new language is proposed next year, movement would be unfrozen on the grid.

Mr. Hancock explained that teacher movements across the grid represents a 3.75% increase of the base pay. He also explained that sometimes it is possible to move more than once on the grid. He further explained that when the legislature increases base salaries this would affect grid as well and it is possible to get nice increases when moving through.

Rep. Nielsen commented that if the legislature removes the intent language, then teachers would move where they should be, but due to the economy, he does not see this happening. He explained that he does have concern and sympathy, but questioned where the state would get the money if they did not do this.

Mr. Hancock explained that by freezing movement on the grid, it reduces

the cost of state appropriation. He also clarified that when a teacher retires, their retirement is based upon the highest consecutive 42 months of pay and not based on what they would have gotten if movement on the grid was not frozen.

In response to a question regarding how much it would cost the state if movement on the grid stays frozen for another year and then movement is restored, **Mr. Hancock** explained that the state would have to add \$2 million a year for each year it was frozen. He further explained that on experience portion, they would just move one year at a time. To catch up on both experience and educational credits, it would cost the state \$24 million.

Chairman Nonini discussed with the Committee the other areas in the proposed intent language. The language includes; eliminating reimbursement for field trips, and suspending the Early Retirement Incentive program for one year. He explained that the issues have been changing all of the time since meeting with stakeholders in two late night meetings last week. One of the ideas discussed was to allow teachers that qualify retire at rule of 85 instead of the rule of 90.

Chairman Nonini explained that Committee members can discuss their feelings about the proposed intent language with members of JFAC and there are still changes that could be made. He further explained that some members of JFAC do not see the intent language until right before voting on appropriation bills. **Rep. Durst** expressed his distaste for the intent language in JFAC and also explained that the Early Retirement Incentive Program does not cost the state money. He explained that many teachers will decide not to retire and that will keep them in the top of the pay grid which would mean hiring less first year teachers. **Chairman Nonini** commented that many people in private businesses cannot afford to retire and the economy is to blame for this problem.

Rep. Chew commented that these cuts will hurt Idaho kids, eliminate jobs, and affect the economy. She suggested that the legislature should be looking at revenue ideas that do not increase taxes. Her suggestions include; collecting the \$60 million of uncollected taxes, suspending the grocery tax credit for one year, which would save about \$35 million and lowering the sales tax to 4%, which would save the state approximately \$200 million. **Chairman Nonini** explained that the purpose of the education budget is to not lay off teachers and not increase class size. He further explained that it is not the intention of the stakeholders to see teachers lose jobs. He also explained that out of the \$60 million in uncollected taxes, public education would get half of that money. He suggested that **Rep. Chew's** suggestions would be better comments for leadership. He explained that the public education budget needs to be set soon and perhaps the suggestions could be discussed over the summer.

Chairman Nonini discussed the salary based apportionment language in the proposed intent language. **Mr. Hancock** explained that it is proposed that the beginning base salary of a first year teacher would be \$29,655 which would be a reduction from \$30,915, a 4% decrease. **Chairman Nonini** explained that there has been ongoing discussion regarding this issue and he did not know what the final numbers are.

He further explained that **Rep. Bayer**, a member of the JFAC Committee has fought hard to keep this salary above \$30,000.

Chairman Nonini asked **Jason Hancock** to go through each section of the proposed intent language with the Committee members. Mr. Hancock discussed the following sections; phase out of agriculture monies; the state not paying a master teacher at \$2,000 bonus for FY 2011; tobacco, cigarette and lottery funds going to discretionary funds instead of targeted programs; and the elimination of state funding for the expectant and delivered mothers program.

Chairman Nonini explained that the flexibility issue was laid out in section 9 of the proposed intent language. He further explained that the proposed language explains that discretionary funds cannot be used for raises. **Rep. Chavez** commented that she is bothered by the idea that extra duties are being absorbed by administrators, especially in rural districts, and these administrators are not compensated for the extra duties. She further commented that proposed language to have the Board of Trustees report to the Superintendent how the discretionary money is spent sends a message that local school boards are not trusted to make decisions at the local level. **Chairman Nonini** explained that discretionary money can be used to augment salaries, but not be used for raises. He commented that the Board of Trustees are sometimes not willing to do what is right and there was give and take by all of the stakeholders. **Rep. Durst** commented that the Boise School district is able to pay their teachers more due to higher property taxes and felt that this proposed language pits urban school districts against rural school districts.

Mr. Hancock explained that the proposed intent language cuts transportation funds by 10%. The language also reduces funding for the Math and Reading initiatives and remediation, by about a 21% and combines these programs into one line item.

Mr. Hancock explained that one-third of funding for the Limited English Program (LEP) program was pushed to discretionary funding. He further explained that this is a needs based program and by moving funding to discretionary funding, some districts will win and some will lose.

Mr. Hancock explained that the proposed language limits funding for the Idaho Digital Learning Academy (IDLA), to \$5 million. He further explained that this past year the state paid \$6.2 million for IDLA because of increased enrollment. He clarified that when last year's legislature set the budget for current year for IDLA, they estimated the enrollment. The enrollment this year is higher. He explained that the new language says regardless of the enrollment, IDLA will not be getting more than \$5 million.

Mr. Hancock explained that upon further review, a rule change as to how districts run their bus programs deleted the requirement that bus depreciation funds have to be put in a separate account.

He also explained that there is no proposed intent language regarding "use it or lose it" funds. He further explained that this issue is not something that impacts the budget, but there will be further discussion regarding this.

In response to a question regarding local maintenance match money, **Mr. Hancock** explained that this issue would require legislation in the germane committees.

Rep. Chavez commented that rules have been passed that have a fiscal impact and this cost will be pushed out to the districts. **Chairman Nonini** commented that it will be up to the State Department to implement their rules and that is one of the reasons more money has been put in discretionary funds.

Chairman Nonini explained that he was not sure how much influence the germane committee could have over JFAC as both chairs of JFAC have declined invitations to appear before the committee. He further explained that Committee members should visit individually with members of the JFAC committee to let them know how they feel about the proposed intent language.

ADJOURN:

There being no further business to be brought before the Committee, **Chairman Nonini** adjourned the meeting at 10:25 A.M.

Representative Bob Nonini
Chairman

Claudia Howell
Secretary

MINUTES

HOUSE EDUCATION COMMITTEE

DATE: March 3, 2010

TIME: 8:30 A.M.

PLACE: Room EW41

MEMBERS: Chairman Nonini, Vice Chairman Shirley, Representatives Trail, Block, Nielsen, Wills, Chadderdon, Shepherd (8), Marriott, Thayn, Gibbs, Hartgen, Thompson, Boe, Pence, Chavez, Durst, Chew

**ABSENT/
EXCUSED:** Rep. Gibbs

GUESTS: Glen Zollman, Apangea; Louis Piconi, Apangea; Skip Smyser, Apangea; Clay Long, Lewis Clark State College; Jeffrey Dolifka, intern; Bert Marley, Idaho Ed. Assoc.; Sandra Warnke, IEA; Angie Spracher, IEA; Julie Dillehay, IEA; Michelle Tanberg, IEA; Hilaree Stephens, IEA; Brian English, IEA; Terri Sanders, IEA; Diana Fusaro, IEA; Karen Scott, IEA; Tim Whitaker, IEA; Amanda Farner, IEA; Kim Wardwell, IEA

Chairman Nonini called the meeting to order at 8:35 A.M. He welcomed a group of teachers from Mountain Home, Nampa and Caldwell.

RS 19677C2: **Rep. Block** presented **RS 19677C2** to the Committee. She explained that the proposed legislation would protect those who cannot defend themselves and the most vulnerable are children. She further explained that when children are in the presence of illegal drugs, they are at a higher risk for physical, sexual and emotional abuse. They are usually poorly supervised and are more likely to have behavioral problems at school. She explained that early exposure to drugs has lifelong effects. She reported that Idaho currently treats adults that expose children to illegal drugs as a misdemeanor offense. She further reported that often these offenders are put on probation and are soon back in the home. She explained that other states have made this offense a felony and there is a need to do the same thing in Idaho.

Rep. Block explained that **RS 19677C2** adds a new section to Idaho Code to provide that a person 18 years old and above is guilty of a felony for causing or permitting a person under the age of 15 to ingest or inhale or have contact with methamphetamine, cocaine or heroin or derivatives thereof. She explained that the first conviction, imprisonment would not exceed three years and be subject to a fine not to exceed \$5,000 and upon subsequent convictions, imprisonment would not exceed ten years and be subject to a fine not exceeding \$25,000. She reported that this proposed legislation has the support from the Police and Prosecuting Attorney associations. She further reported that this proposed legislation would only affect five to six persons a year in Idaho.

In response to a question as to why marijuana was not included in the proposed legislation, **Rep. Block** explained that it was decided to include the

most dangerous of drugs and would not be opposed to adding marijuana at a later time.

Chairman Nonini explained that if **RS 19677C2** is introduced, it would be referred to the Judiciary and Rules Committee.

In response to a question regarding if this charge would be a secondary charge or a stand alone charge, one of the co-sponsors, **Rep. Wills** explained that the proposed legislation could be interpreted as a stand alone charge or a secondary charge.

MOTION:

Rep. Hartgen made a motion to **introduce RS 19677C2.**

Rep. Durst questioned the phrase “derivatives thereof” in the proposed legislation. He explained that a derivative of methamphetamine could be household cleaners. **Rep. Block** explained that there would have to be evidence that persons in the possession of these substance would have the intent to make methamphetamine.

Rep. Boe commented that she applauds the intent of the proposed legislation. She questioned the use of the word “knowingly” on line 18. She explained that adults high on illegal drugs could not be aware of what they are doing. **Rep. Block** explained that the word “knowingly” has legal ramifications. **Rep. Wills** explained that the word “knowingly” in this instance would apply to an adult who was aware of the exposure to a child before they got to the point where they did not know what they were doing.

Rep. Trail commented that the proposed legislation is good legislation. He reported that one of the major problems in some of the school districts in his area is that students come to school drunk and alcohol abuse is a major problem.

VOTE ON MOTION:

On a voice vote, the motion carried.

Skip Smyser, representing the law firm of Connolly Smyser introduced **Lou Piconi**, Co-Founder and CEO of Apangea. He also introduced **Glen Zollman** who is in charge of the Apangea program in Idaho. **Mr. Smyser** explained that he became involved in the Apangea math tutoring program when his son was failing Algebra and needed extra help. He explained that the Apangea math program is a different kind of learning from what he had done before. Mr. Smyser reported that Apangea worked very well for his son and also explained that his younger daughter, who is a good math student, uses Apangea to be challenged in math at a higher level.

Lou Piconi addressed the Committee. He explained that he and a co-founder started the Apangea program in 2002 to make tutoring available in public schools. He explained that he comes from a family of teachers and is a father of five. He reported that Apangea tutors about one quarter of million students across the country. He explained that Apangea works with the student in student motivation, development of problem solving skills, and shows a unique model blend of virtual teachers and real teachers.

Mr. Piconi demonstrated the Apangea math program for the Committee members. He explained that every student receives a unique login and password and everything is done online. He further explained that Apangea tries to motivate students to work at home and provides various competitions between schools nationwide. He reported that Liberty Elementary school in Boise won the nationwide competition last year. He further reported that students have the ability to donate points they have earned to charity or prizes for themselves. He reported that in Idaho, students have donated about \$1,200 to charities; which is well above the donations of students in other states.

Mr. Piconi explained that when a student comes on to system, they pull content tied to their state's unique math standards. They first take a pre quiz and the system is data driven. He further explained that the Apangea program does not give the answers, but allows the student to work hard to develop thinking and problem solving skills.

Mr. Piconi demonstrated the use of the helper character or "avatar". He explained that the character is able to speak multiple languages, and the student can choose to have the character read the problem to them. He also demonstrated the use of five tabs across the screen. These tabs include; define the goal, identify key values, build the equation, solve the equation, and answer the question.

He demonstrated the cues that are given to keep the students on track. He explained that when a student types in an answer that is not a good answer, Apangea staff stores these answers and teachers review these to see if they are acceptable and then are stored in data base.

Mr. Piconi explained that Apangea staff is always making data driven decisions to decide what students need next. He reported that students can talk to a certified math teacher from 7 A.M. to midnight for extra help. The teacher can see the key strokes of the students to help with specific concepts. For further tutoring, the teacher can send the student to the concept zone to work one and one with a teacher and draw on a white board. He reported that live tutor time usually lasts 2 to 3 minutes and in the concept zone, the one on one with a teacher typically lasts 8 to 10 minutes and is more in depth. He further explained that in the concept zone, they work on bigger conceptual ideas to help student with original problem.

Mr. Piconi logged in as a teacher to demonstrate what they would see on the screen. He explained that Apangea does training on site and some training online. There is no charge for the training. He explained that Apangea is working hard to be a good partner to the classroom teacher, students and parents.

Mr. Piconi explained that it the cost for a live tutor is not in dollars for the student, but the student uses points they have earned from completing the math activities.

Committee members were given a login name to access the Apangea program online at a later time to do problems and learn more about the program. He reported that the website address is www.apangea.com

In response to a question regarding how students can talk to a live tutor at any time, **Mr. Piconi** explained that because of multiple levels of tutoring, teachers can help more than one student at a time. He further explained that Apangea is constantly tracking the amount of time when students click and actually access live tutors and the system is constantly balancing the amount of time that students and teachers spend with each other.

Mr. Piconi explained that the Apangea program is in now in 37 states and tutors approximately 250,000 students. He further explained that about 85% of tutoring is done with students in the 4th through the 10th grade. He reported that Apangea is currently working on a data system to track students who use the program at a young age to see if their math skills improve as they get older.

Mr. Piconi explained that accessibility to the Apangea program is not limited to locale. He further explained that if students do not have a computer at home, they can access the program at community centers and other places.

Mr. Piconi reported that Apangea listens to teacher input and is constantly improving the program. He further reported that they will soon be launching parent pages and advocates getting the entire family involved in the math tutoring. He also reported that parents will soon be able to receive text messages when their student updates their progress.

Chairman Nonini explained that **Superintendent Luna** cites the Apangea program, which is part of the Math Initiative, as one of the reasons why Idaho's schools have increased AYP along with the Reading Initiative, and ISAT remediation. **Mr. Piconi** explained that the Idaho State Department of Education is among the best he has seen in the country.

Mr. Piconi explained that the name "Apangea" was taken from the name "Pangea" which was the name of the seven continents before they split up. When they tried to use Pangea as a website domain name, it was already taken, so they added an "a" to the beginning of the word, resulting in "Apangea".

ADJOURN:

There being no further business to be brought before the Committee, **Chairman Nonini** adjourned the meeting at 9:45 A.M.

Representative Bob Nonini
Chairman

Claudia Howell
Secretary

MINUTES

HOUSE EDUCATION COMMITTEE

DATE: March 4, 2010

TIME: 8:30 A.M.

PLACE: Room EW41

MEMBERS: Chairman Nonini, Vice Chairman Shirley, Representatives Trail, Block, Nielsen, Wills, Chadderdon, Shepherd (8), Marriott, Thayn, Gibbs, Hartgen, Thompson, Boe, Pence, Chavez, Durst, Chew

**ABSENT/
EXCUSED:** Rep. Chadderdon

GUESTS: Erik Makrush, Idaho Association of Building Officials; Melissa Vandenberg, Attorney General's Office; Allison McClintick, State Board of Ed.; Selena Grace, State Board of Ed.; Mark Browning, State Board of Ed.; C. Kelly Pearce, Division of Building Safety; Jessica Harrison, ID School Boards Assoc.; Jason Hancock, State Dept. of Ed.; Bill Nary, City of Meridian; Bruce Freckleton, City of Meridian; Eric Exline, Meridian School District; Bruce Gestrin, Meridian School District

Chairman Nonini called the meeting to order at 8:35 A.M.

RS 19729C1: **Vice Chairman Shirley** presented **RS 19729C1** to the Committee. He gave a brief background on the proposed legislation. He reported that he met with a group in eastern Idaho called "Citizens for Decency". He further reported that while meeting with this group, there was a discussion regarding whether students have been able to access harmful or pornographic materials on school computers. He explained that the state should have filters on school computers to block harmful materials. He reported that there is existing federal law that requires schools that use federal funds to have filters on school computers to block harmful materials.

He explained that a recent survey done by the Association of State Legislatures indicated that Idaho needed an internet usage law. He further explained that even though most schools have filters, there is a need to have a statewide policy. He reported that about half of Idaho school districts do have an internet usage policy. He explained that this proposed legislation provides for consistency across the state and requires all schools who use state General Fund money to have an internet use policy. He explained that this legislation requires each local school district in the state to adopt and file an internet policy with the State Superintendent of Public Instruction.

MOTION: **Rep. Thompson** made a Motion to introduce **RS 19729C1**. **Vice Chairman Shirley** clarified that the State Department of Education has agreed to look at existing internet usage policies and they do have the manpower to make any needed modifications if needed.

On a voice vote, the motion carried.

RS 19219C1: **Mark Browning**, from the State Board of Education presented **RS 19219C1** to the Committee. He explained that the Idaho Comprehensive Literacy Assessment has been given to each Idaho prospective kindergarten through eight teacher since 2002 and places responsibility for the development of the assessment with the State Board of Education. This legislation will redirect the responsibility of the assessment to the individual institutions and will provide for the requirement of accountability from those institutions. He also explained that additionally, the assessment will be required for teacher preparation programs for kindergarten through grade twelve. Mr. Browning explained that this proposed legislation is in response to the directive from legislature for the State Board of Education to delegate these responsibilities. He reported that the deans from the colleges of education are in support of this proposed legislation.

Allison McClintick, from the State Board of Education explained that rules will be promulgated that creates guidelines for the assessment which will also make sure each institution meets the requirement of the assessment.

MOTION: **Rep. Boe** made a motion to introduce **RS 19219C1**. **On a voice vote, the motion carried.**

RS 19738: **Rep. Chavez** presented **RS 19738** to the Committee. She explained that this proposed legislation repeals the section of Idaho Code relating to the education of certain expectant or delivered mothers. She reported that currently pregnant teens attend regular public schools or alternative schools, and there is no need for a residential school. She further explained that this issue has been addressed by JFAC and this line item has been zeroed out for next year. She reported that the residential school in Boise will have to figure out alternative funding.

MOTION: **Rep. Block** made a motion to introduce **RS 19738**. **On a voice vote, the motion carried.**

RS 19746: **Jason Hancock**, from the State Department of Education presented **RS 19746** to the Committee. He explained that the proposed legislation increases the reimbursement to school districts for each student completing a public school driver education course. He further explained that this increase is necessary to bring reimbursements in line with the revenues associated with this program and to keep pace with inflation. He also explained that this legislation would also reduce the paperwork and reporting burden on school districts by making the reimbursement a flat amount per course completion. He reported the increase would be from \$125 to \$150 per course. He further reported that the last time this fee was increased was 2004.

Mr. Hancock explained that fees are paid when students take driver education courses and another part of the fee from drivers licenses. He clarified that not all districts offer driver education courses. Mr. Hancock explained that there was an excess of \$3.3 million in the drivers education fund that was transferred into public schools budget. In response to a question as to why the fees are not being lowered because of the excess of money in the fund, Mr. Hancock explained that the fees were lowered a couple of years ago and the reason for the increase is to keep pace with inflation.

Rep. Hartgen requested that Mr. Hancock bring the financials of the drivers education fund to the bill hearing should the proposed legislation be introduced. Mr. Hancock agreed to bring the figures.

In response to a question regarding funds from private driver training courses, **Mr. Hancock** explained that funds from private driver training courses do not go directly into this fund. He further explained that some districts in the state, rather than hire their own staff, will contract with a private driving school to offer these courses to their students. These funds would be available as part of this contract.

Mr. Hancock explained that districts do support the proposed legislation and he was not aware of any stakeholders who are in opposition.

Rep. Nielsen commented that he would like to know what the cost is of private driver education programs.

MOTION: **Rep. Nielsen** made a motion to introduce **RS 19746**. He asked that the sponsor provide written input from districts who have drivers education programs that agree with this legislation. **On a voice vote, the motion carried with Rep. Chavez voting NAY.**

RS 19747: **Jason Hancock** presented **RS 19747** to the Committee. He explained that the purpose of this legislation is to put into Idaho Code definitions for tribal schools and tribal education authorities. He reported that there are two tribal schools in the state currently. He reported that since tribal schools do not participate in the state's public school funding formula, this legislation has no financial impact.

MOTION: **Rep. Chavez** made a motion to introduce **RS 19747**. **Mr. Hancock** clarified that students at tribal schools are not under the State Department of Education, but under tribal affairs. In response to a question regarding the level of accreditation for tribal schools, Mr. Hancock suggested that this may be a better question to ask at the bill hearing of the Indian Education Coordinator.

On a voice vote, the motion carried.

H 546: **Rep. Jarvis** presented **H 546** to the Committee. He explained that the purpose of this legislation revises language relating to procurement requirements for school districts. This bill would change "lowest qualified bidder" to "lowest responsible bidder". He explained that this change will assure consistency in terminology between the purchasing statutes. He further explained that this change will bring the purchasing statutes applicable to political subdivisions and schools into conformity with the other existing state purchasing statutes. He reported that this bill also increases the dollar threshold for districts larger than 833 students.

Rep. Jarvis explained that there is one small change he would propose to the bill. On page 2 line 7, delete the word "services" as this section of code does not relate to services, just goods.

Rep. Jarvis explained that the impetus for this bill came from a situation in the Meridian school district where a bid was sent out for a pizza vendor. Because the school had to choose the lowest bidder according to Idaho Code, many of the students did not prefer the pizza from the vendor with the lowest bid so another bid was chosen. The district is now being sued by the lowest pizza vendor.

Rep. Jarvis clarified that this bill only deals with goods or services purchased by school districts or political subdivisions. **Rep. Durst** expressed his concern regarding the section of code cited in the bill and the possible impact it would have on building contracts. **Melissa Vandenberg**, deputy Attorney General dealing with the Department of Administration's building contracts, responded that the sections of code that deal with building contracts are separate and apart from this statute and this statute would only apply to the purchase of goods and services.

In response to a question regarding why "qualified bidder" was replaced by "responsible bidder", **Rep. Jarvis** explained that the term "responsible bidder" is in other parts of Idaho Code and this would bring this part of the code in compliance. **Ms Vandenberg** explained that the state and the federal government uses the term "lowest responsible bidder". She further explained that the "lowest qualified bidder" is different from the "lowest responsible bidder". She reported that "responsible" means that the vendor is able to work on the contract, has the experience and history in providing the work, and these criteria are evaluated. She further reported that because of the confusing terminology currently in code, schools can only take lowest bid.

Ms. Vandenberg explained that this bill would allow school districts and political subdivisions to consider any other type of criteria in the bid process and it would apply to anything the school can buy. She further explained that cost of the item is weighted at 40% and responsibility is weighted at 60% and without this change the school can only consider lowest cost.

In response to a question regarding how a new business would be able to compete for a bid with the criteria of experience, **Ms. Vandenberg** explained that this bill would not exclude new businesses. She further explained that in the bid process, references are weighted less than 10%. She also explained that new businesses may have been involved in other areas, and they will be rated on their ability to perform on the contract. **Rep. Nielsen** expressed his concern that he stills see a distinct disadvantage for new businesses with this new language.

Ms. Vandenberg clarified that this bill would not require school districts to follow the same approach as the state in the bidding process. She explained that this bill gives districts the option to use the lowest responsible bidder. She further explained that the state would be willing to share their template with districts, but they are not required to use the same process. **Rep. Hartgen** commented that this bill would not give districts a standard for the selection process and opens the door to local favorites.

MOTION: **Rep. Hartgen** made a Motion to **HOLD H 546 in Committee**. He explained that this bill raises broader questions and there are not enough explanations at the local level.

SUBSTITUTE MOTION: **Rep. Marriott** offered a Substitute Motion to send **H 546** to the Floor with a **DO PASS** recommendation.

Dr. Bruce Gestrin, Assistant Superintendent of the Meridian School District spoke in support of **H 546**. He explained that this issue is much bigger than pizza. He shared the recent experience of the Meridian School district purchasing a new photocopier vendor. He explained that the district went through an extensive bidding process and based their decision on the vendor that had the most qualifications and awarded the contract. He reported that a consultant was hired by the district to help with the bidding process at a cost of \$90,000. He further reported a week ago the new contract was awarded, and now it is being challenged. The new bid is \$20,000 lower a month than the current photocopier contract.

Dr. Gestrin also reported that the Meridian School district is now in the process of bidding on an emergency contact contract that is sold on a per student basis. Because the district has over 34,000 students; they would be over the limit currently in code. **H 546** would raise the threshold.

Dr. Gestrin explained that the current language in code is ambiguous. School districts are required to take the lowest bid, but it may mean that the vendor may not be able to do the tasks they need it to do.

Dr. Gestrin explained that he is not concerned about new businesses being excluded from the "lowest responsible bid". He further explained that a new business would be defined as responsible if they meet all of the qualifications. He also explained that price is a consideration, but that is not only thing the bid is based on.

Dr. Gestrin clarified that the current bidding process is not used for educational services such as mental health or counseling.

Rep. Durst expressed his concern that new business would not be able to compete.

AMENDED SUBSTITUTE MOTION: **Rep. Chavez** offered an Amended Substitute Motion to **HOLD H 546** to time certain until next Wednesday, March 10th to further discuss this.

Dr. Gestrin clarified that this bill would allow for less paperwork by the districts.

Rep. Nielsen commented that he would support the Amended Substitute Motion. He also expressed his concern that he was not sure how rules would be fashioned for this legislation to allow new businesses to have a fair opportunity. He explained that there should be a level playing field for all businesses.

Dr. Gestrin clarified that the \$90,000 that the district paid for consulting advice was invaluable in obtaining the recent photocopier contract. He further clarified that the new contract was not the lowest bid received. The lowest bid was from a company that used obsolete machines. He explained that the new bid is the best bid based on the qualifications. He explained that with **H 546**, the district would not have to hire a consultant or have to complete extensive paperwork. He also clarified that the \$20,000 a month the district has been able to save with the new photocopier contract is additional money for the state's General Fund.

Dr. Gestrin clarified that the terms "responsive" and "responsible" are two different terms.

Rep. Durst expressed his concern that this bill would open up the districts for more litigation. **Dr. Gestrin** responded that he did not look at this way. He explained that by being very specific with qualifications, vendors know what they must meet. He further explained that the district would always go after the best product they can purchase at the lowest price. He reported that it is not in the public's best interest to get something that will break easily.

Eric Exline, Public Affairs Officer of the Meridian School District spoke in support of **H 546**. He explained that the pizza contract sounds trivial, but court costs for this contract is about \$850,000. He explained that this legislation would bring the school and political subdivision's purchasing code the same as other state agencies. He also explained that there is a difference between "responsive" and "responsible".

Rep. Jarvis explained that **H 546** will assure schools are saving the most money rather than having to settle for something less desirable.

Chairman Nonini clarified that **Rep. Jarvis** suggested that "services" be stricken on page 2, line 7 of the bill and if this bill is sent out of Committee it would need to go to General Orders to be amended.

**ROLL CALL
VOTE ON
AMENDED
SUBSTITUTE
MOTION:**

A roll call vote was called for on the Amended Substitute Motion to HOLD **H 546** until time certain, Wednesday, March 10th. **The motion carried, 8 aye, 6 nay and 3 absent and excused. Voting in favor** of the Amended Substitute Motion: Representatives Block, Nielsen, Gibbs, Boe, Pence, Chavez, Durst and Chew. **Voting in opposition** to the Amended Substitute Motion: Representatives Shirley, Wills, Shepherd, Marriott, Hartgen and Thompson. Representatives Trail, Chadderdon and Thayn were absent and excused.

H 601:

Rep. Jarvis presented this bill to the committee. He explained that the purpose of this legislation is to define who is eligible to do a public school plan review and what that plan review would include. He further explained that on page 2, lines 6-13 allows a district to contract with city if the city does plan reviews. He reported that this is the case in Minidoka County.

Rep. Jarvis reported that the Association of Cities and the Department of Building Safety are supportive of this bill.

MOTION:

Vice Chairman Shirley made a motion to send **H 601** to the Floor with a **DO PASS** recommendation.

Erik Makrush, representing the Idaho Association of Building Officials spoke in support of **H 601**.

Kelly Pearce, Administrator of the Division of Building Safety spoke in support of **H 601**.

Bill Nary, an attorney for the city of Meridian spoke in support of **H 601**. He explained that the city is concerned that “employee” is not defined in this bill. He suggested that this concern could be addressed at a later time to change “an employee of” to “employed by”. He explained that the city is supportive of this legislation.

Mr. Pearce clarified that this legislation would not apply to **H 501**, currently in the House Business Committee, which deals with inspections.

VOTE ON MOTION:

On a voice vote, the motion carried. Rep. Jarvis will sponsor the bill on the House Floor.

Sherri Wood, president of the Idaho Education Association reported that she had just heard from the National Education Association that Idaho was not one of the finalists for the federal “Race to the Top” grant.

Rep. Nielsen expressed his concern regarding intent language for the public schools budget which would allow all districts to declare a financial emergency and allow the local school boards to open teacher’s contracts to renegotiate contracts. **Chairman Nonini** commented that he was part of several day’s worth of discussion with the stakeholders and the language concerning financial emergencies was not discussed at that time. He further commented that he was surprised by the intent language regarding this issue. **Vice Chairman Shirley** also commented that he was not aware of any discussion regarding the language and was also surprised by the language included in the appropriation bill regarding districts declaring a financial emergency.

ADJOURN:

There being no further business to be brought before the Committee, **Chairman Nonini** adjourned the meeting at 10:20 A.M.

Representative Bob Nonini
Chairman

Claudia Howell
Secretary

MINUTES

HOUSE EDUCATION COMMITTEE

- DATE:** March 8, 2010
- TIME:** 8:30 A.M.
- PLACE:** Room EW41
- MEMBERS:** Chairman Nonini, Vice Chairman Shirley, Representatives Trail, Block, Nielsen, Wills, Chadderdon, Shepherd (8), Marriott, Thayn, Gibbs, Hartgen, Thompson, Boe, Pence, Chavez, Durst, Chew
- ABSENT/
EXCUSED:** Representatives Shepherd (8), Thompson
- GUESTS:** Ryan Gravette, Idaho Digital Learning Academy (IDLA); Donna Hutchison, IDLA; Kristin Oostra, IDLA, Chris Rapp, IDLA; Tim Deck, IDLA; Mark Cotner, COSSA; Tessa Beaver, IDLA; Lorrie Houston, COSSA; Drew Thomas, Risch Pisca; Carley Campbell, IDLA; Sherri Wood, Idaho Ed. Assoc.; Garry Lough, Idaho Education Network; Emma Roemhildt, ICE; Martin Bilbao, Connolly Smyser; Harold Ott, Idaho Rural Schools Assoc.; Jessica Hamson, Idaho School Boards Assoc.; Phil Homer, Idaho Assoc. of School Administrators; Mark Browning, State Board of Ed.; Luci Willits, State Dept. of Ed.; Suzanne Budge, SBS Associates LLC
- Chairman Nonini called the meeting to order at 8:30 A.M.
- MOTION:** **Rep. Chavez** made a motion to approve the minutes of the March 2nd, 2010 meeting as submitted. **On a voice vote, the motion carried.**
- MOTION:** **Rep. Chavez** made a motion to approve the minutes of the March 3rd, 2010 meeting as submitted. **On a voice vote, the motion carried.**
- MOTION:** **Rep. Chavez** made a motion to approve the minutes of the March 4th, 2010 meeting as submitted. **On a voice vote, the motion carried.**
- RS 19725C1:** **Rep. Durst** presented **RS 19725C1** to the Committee. He explained that this proposed legislation would create a certificate for online teachers. He further explained that there was legislation passed last year concerning virtual education and he felt that there was not proper sideboards in place to make sure the legislation was more useable for school districts. He reported that he formed a group of stakeholders to look into this issue and asked for technical expertise from the Idaho Digital Learning Academy. The group met several times throughout the summer. He explained that his goal was to make sure stakeholders had as much input as possible. Rep. Durst clarified that the proposed legislation is not a “certification”, but a “certificate”.
- He explained that this proposed legislation requires all individuals employed as teachers or in the role of a teacher in an online environment to hold a certificate in online instruction as created by the State Department of Education.
- The proposed legislation also directs the inclusion of the Idaho Digital

Academy as well as a representative from a private third party in the creation of rules. It also provides definitions and creates a new chapter in code. He reported that the second section of the proposed legislation regarding rules for online and virtual education does not go into effect until 2015 to give higher education time to develop the certificate requirements.

MOTION:

Rep. Chavez made a motion to introduce **RS 19725C1**.

Rep. Thayne expressed his concern that the proposed legislation would reduce innovation by requiring a certificate. **Rep. Durst** explained that nearly all of stakeholders are in favor of this legislation.

Rep. Marriott expressed his concern that a certificate would be a prelude to certification. **Rep. Durst** explained that a certificate is not a prelude to certification. He further explained that if a teacher already has certification, they can obtain additional certificates in other areas

On a voice vote, the motion carried.

Dr. Donna Hutchison, CEO of the Idaho Digital Learning Academy(IDLA) addressed the Committee. She explained that she started out in 1990s in online learning and has a background in educational technology. She further explained that IDLA courses are more than just online courses. She reported that IDLA provides other services including services to school districts and the state. Classes are primarily asynchronous with synchronous components. Courses consist of eight academic units and a final exam. IDLA offers over 165 online courses and classes are designed with Idaho in mind. She explained that some courses are developed around the ISAT. Courses are also based upon feedback from stakeholders. IDLA partners with Idaho institutions and classes are developed with Idaho standards to insure that they meet national standards. Dr. Hutchison reported that 14,500 students are enrolled in IDLA courses for the 2009-2010 school year. She further reported that students can access the courses whenever they need to. She also explained that courses are rigorous and consist of tests and quizzes. She reported that the final exam is proctored, password protected and count 20% of the student's overall grade. She explained that IDLA classes include students, meet digital generation needs, include active participants, and there is no back row learning.

Chris Rapp, Director of Instruction for IDLA addressed the Committee. He led the committee in some sample lessons from IDLA courses. He explained that IDLA courses build inside of "Blackboard" to ensure a smooth transition to college as most of Idaho colleges use "Blackboard". He provided samples of lessons from a Government course, and lessons from Algebra, French , Digital photography, Idaho Science and Technology, Environmental Science and Speech.

Mr. Rapp explained that all IDLA courses are designed to Idaho standards and students have to move through the course in a specific time frame. Resources include an electronic textbook and various other helps. He reported that each course has an electronic textbook and the student can use a highlighter or other tool. In addition to reading requirements, students use interactive elements. Students are required to respond to other students and to the teacher.

Students and the teacher also respond to their post. Teachers prompt students to think deeper about the subject. Teachers can communicate with the student via a “whiteboard”.

Mr. Rapp also gave a demonstration of an Algebra 1 lesson. He explained the student can move manipulatives to solve the problem. Students who are having difficulty can also have access to live teachers in the tutor center.

Mr. Rapp also demonstrated a French lesson. He explained that IDLA language classes include four goals; listening, speaking, reading and writing. Students used electronic text and a variety of audio and video elements. Students can also speak French and respond to other students in French. Pod casts are also available and can be downloaded to the student’s I-Pod. Mr. Rapp explained that there are a variety of videos in which teachers model for students how to pronounce sounds in different languages. He further explained that the final exam for a French class would consist of true/false ,fill in and essay questions. The exam would also have audio built into it.

Mr. Rapp explained IDLA courses are developed by teachers who are specialists in that specific content. The curriculum is taken from master teachers. He also explained that IDLA buys learning objects and not courses.

In response to a question regarding how IDLA courses allow students to be a part of the class, Mr. Rapp explained that they strive to create environments to interact with teachers and other students.

In response to a question regarding rates of completion for their courses, Mr. Rapp explained that they have an overall completion rate of 78%, which is up 10 percentage points from the last four years. He further explained that courses have a variety of pass rates.

In response to a question regarding requirements for teacher interaction, Mr. Rapp explained that teacher interaction varies from course to course. He further explained that in almost all cases, teachers respond to student questions within 24 hours.

In response to a question regarding why online teachers would need a certificate if they are following national standards of quality, Mr. Rapp explained that IDLA courses reach national standards for construction of their courses and design and Idaho standards for content.

Kristin Oostra, an IDLA teacher addressed the Committee. She explained that she has taught English for IDLA for the past three years. She reported that she makes connections with students through e-mails and phone calls. She explained that each student receives a welcome e-mail and phone call within 48 hours of starting an IDLA course. Teachers also use discussion boards, and reply to students in a meaningful way. She also reported that “Idaho Live” can connect with students in real time. She explained that she also has office hours where she can contact students who are having difficulty. She also texts and instant messages students.

She explained that she usually communicates with students within 24 to 48 hours of their inquiry. She also explained that her husband teaches P.E. and

drivers education for IDLA. She explained that IDLA teachers are formally assessed every two weeks and at the end of the course. She reported that teachers are always looking for ways to improve their teaching.

Ms. Oostra clarified that students can work whenever they want to. She also explained that she is in charge of 35 students in some classes and 15 students in other classes. She also clarified that in an online environment, teachers do not encourage texting and have the students use real words.

Ms. Oostra explained that her husband teaches the education portion of the drivers education class online, then the student takes the driving component at the local school.

Ms. Oostra explained that summer enrollment in IDLA classes is high and many students who take IDLA classes are trying to move ahead so they have time in their schedules for extra curricular activities.

Carley Campbell, a senior at Rocky Mountain High School and taking IDLA classes addressed the Committee. She explained that she is heavily involved in the performing arts and in leadership activities. She further explained that IDLA offers classes she needs for graduation. She reported that she took an Economic class through IDLA and it was just as challenging as the class at high school. She reported that the IDLA course cost about \$50. She further reported that IDLA is generous with scholarships for students who cannot afford the cost.

Ms. Campbell explained that she could access the IDLA class at any time she needed it and it was always there and always available. She also explained that if the cost was above \$75, she would have taken the class elsewhere.

Mark Cotner, director of the Canyon-Owyhee School Service Agency (COSSA), and Superintendent of Centerpoint Alternative High School addressed the Committee. He explained that IDLA has been a benefit to their consortium. He reported that the district, because of budget cuts, had to eliminate a math teacher and every student had to take math online through IDLA. He further reported that these students had a 90% success rate through the IDLA class and it was a great experiment. He explained that the consortium is making sure they are spending educational dollars as efficiently as they can. He explained that there was a substantial savings to the consortium by using IDLA.

Tim Deck, a student at Centerpoint Alternative High School addressed the Committee. He explained that he was behind in credits, and he is currently in his third math class through IDLA, and also an English class. He reported that he has been able to catch up his credits by taking IDLA classes. He explained that he is spending time in the evenings and on weekends with IDLA classes.

Tessa Beaver, a student at Centerpoint Alternative High School addressed the Committee. She reported that she has been able to graduate from high

school a semester early by taking five IDLA classes. She explained that the teacher communication was great. She further explained that IDLA offered her more options for classes than her small high school.

Ms. Beaver explained that her IDLA teacher followed up with her every day by either e-mail or a phone call.

Vice Chairman Shirley commented that it would be impossible for a traditional classroom teacher to follow up with their students on a daily basis. He further commented that this communication is key to student success.

In response to a question regarding how she thought she would do in college, **Ms. Beaver** explained that it would be difficult to adjust, but she is ready to take on the challenge.

Dr. Donna Hutchison thanked the Committee for their time and explained that students learn in different ways. She explained that it is critical to move forward in the online learning world. She further explained that online learning has to be adaptable, flexible and innovative.

Rep. Durst commented that he appreciates the work that IDLA is doing, but a lot of students struggle with online learning, and it does not work for everyone. He explained that it is important to have traditional schools.

ADJOURN:

There being no further business to be brought before the Committee, **Chairman Nonini** adjourned the meeting at 10:10 A.M.

Representative Bob Nonini
Chairman

Claudia Howell
Secretary

MINUTES

HOUSE EDUCATION COMMITTEE

DATE: March 9, 2010

TIME: 8:30 A.M.

PLACE: Room EW41

MEMBERS: Chairman Nonini, Vice Chairman Shirley, Representatives Trail, Block, Nielsen, Wills, Chadderdon, Shepherd (8), Marriott, Thayn, Gibbs, Hartgen, Thompson, Boe, Pence, Chavez, Durst, Chew

**ABSENT/
EXCUSED:** Representatives Trail, Shepherd (8)

GUESTS: Phil Homer, Idaho Assoc. of School Administrators; Harold Ott, Idaho Rural Schools Assoc.; Dana Kelly, State Board of Ed.; Sherri Wood, Idaho Ed. Assoc.; Wayne Davis, Idaho Assoc. of School Administrators; Robin Nettinga, IEA; Jessica Hamson, Idaho School Boards Assoc.; Benjamin Davenport, Risch Pisca

Chairman Nonini called the meeting to order at 8:35 A.M. **Rep. Durst** introduced a group of teachers from Boise and Meridian.

MOTION: **Rep. Chavez** made a motion to approve the minutes from the March 8th, 2010 meeting as submitted. **On a voice vote, the motion carried.**

RS 19715: **Rep. Hart** presented **RS 19715** to the Committee. He explained that the purpose of this legislation is to provide public transparency for the spending of Idaho's public school districts. By the end of 2010, the legislation requires that each school district with over 300 students post on the internet all of their expenditures in a pdf format. It also requires that by the end of 2011, these expenditures must be posted in an internet searchable format. He also explained that any excluded public records by Idaho code will still be excluded. He reported that this proposed legislation would be applicable to 84 school districts. He explained that this proposed legislation would reduce public records requests by making financial information easily available to the general public and it is supported by the Americans for Tax Reform.

MOTION: **Rep. Thayn** made a motion to introduce **RS 19715**.

Rep. Durst expressed his concern that the proposed legislation only addresses districts with more than 300 students. **Rep. Hart** explained that charter schools would be included in 2011 requirement and there are 16 charter school districts that have more than 300 students. He further explained that this proposed legislation would take an incremental approach. He also reported that he did not want to create a burden on smaller districts that might not be computer savvy.

Rep. Boe commented that she thought that the sentence, "This legislation

does not make any exception for information that is already prohibited from public disclosure by other sections of Idaho Code” in the Statement of Purpose was misleading. **Rep. Hart** acknowledged that the sentence does have a double negative. He explained that the proposed legislation is not opening the door to exposing any public records that are already prohibited by Idaho code.

On a voice vote, the motion carried.

RS 19771C1:

Jeff Hunt, an intern for **Rep. JoAn Wood** and **Rep. Lake** addressed the Committee. He explained that he was assigned to work with **Jason Hancock** from the State Department of Education on **RS 19771C1**. He explained that this proposed legislation will better protect Idaho’s students and school districts from certificated school employees with a history of violating their professional code of ethics. Section one of the proposed legislation will prevent out of state 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, from being issued a certificate to teach or administer schools in Idaho until all conditions and investigations are cleared. The proposed legislation also includes a provision allowing the Idaho professional standards commission to recoup the cost of an appeal against any action taken against an individual’s certificate under certain circumstances. He explained that the proposed legislation also states that school districts may no longer enter into any agreement that has the effect of concealing negative information about job performance or misconduct. It further requires that new job applicants must allow a hiring school district to have access to any previous school district’s records related to the employee’s job performance or job related conduct. He explained that these past districts are then given immunity from liability for disclosing such information.

Rep. Jarvis discussed the specific sections of the proposed legislation with the Committee. He explained that in the initial investigation of the allegation, the teacher could respond verbally or in writing and upon the conclusion of the initial investigation, the chief certification officer could dismiss the allegation, issue an informal letter of reprimand without sanctions, or forward the case to the executive committee.

Rep. Jarvis explained that the second step allows the teacher to respond to the allegation on the second level, and if no request is made within 30 days, it would be deemed admitted.

He explained that the State Superintendent of Schools would have the power to issue subpoenas and compel the attendance of witnesses. At the conclusion of the hearing, the hearing panel may order that reasonable conditions be placed on the certificate or letter of reprimand be sent to the certificate holder, or if there are not sufficient grounds, the allegation against the certificate holder is dismissed. The final hearing is subject to public appeal.

Rep. Jarvis explained that the professional standards commission would

have the authority to impose a fee not to exceed \$1,000, provided that the decision of the panel is to uphold the complaint or impose a greater sanction.

Rep. Jarvis reported that currently in Idaho, the state does not have a method to deny an application for certification if there is pending allegations from another state. The proposed legislation allows the chief certification officer the right to deny an application from an out of state teacher if there are any conditions on that certificate or if there is any form of pending investigation.

Rep. Jarvis explained that the proposed legislation allows for immunity for a school district or employee who in good faith discloses information from civil liability for the disclosure.

Rep. Jarvis reported that lastly the proposed legislation covers what would happen if an applicant does not sign the statement regarding information on past job performance.

Rep. Chavez expressed her concern regarding representation for a teacher who is the subject of an allegation. **Rep. Jarvis** explained that the proposed legislation was crafted by **Christina Linder** and **Jason Hancock** from the State Department of Education. He further explained that this proposed legislation does not preclude a teacher from having representation. **Rep. Chavez** commented that this proposed legislation is linking job performance to misconduct outside the classroom and this is a concern. **Rep. Jarvis** explained that one of the proposed legislation's co-sponsors is **Rep. JoAnn Wood** who has had problems in her area with this issue. He further explained that the hearing panel would be made up of peers and it would be a fair hearing for a teacher.

Rep. Jarvis clarified that **Christina Linder** is the chief certification officer for the State Department of Education.

Rep. Marriott expressed his concern regarding the panel's authority to impose a fee and commented that it poses a burden that should not be there. **Rep. Jarvis** explained that this would defray the cost for appeals made without the evidence to back it up.

Rep. Jarvis clarified that the professional standards commission and the panel referred to in the proposed legislation are different groups.

Rep. Durst commented that his primary concern is the issue of accountability and the chief certification officer is accountable only to his or her boss. He further commented that a lot of power given to someone who does not have a lot of accountability. **Rep. Jarvis** explained that this is the way it is done currently and the proposed legislation puts it into law. He further explained that if the case is forwarded and it goes to a hearing, there is no charge to the teacher. After the hearing is conducted, and the teacher appeals, that is when the charge for \$1,000 would be made.

Rep. Hartgen expressed his concern regarding that the final decision of the hearing panel would be subject to judicial review. **Rep. Jarvis** explained that

judicial review part of appeal. Rep. Jarvis clarified that other states cannot be compelled to offer information on allegations on certificated employees, but the proposed legislation would offer them immunity if they chose to do so.

MOTION: **Rep. Nielsen** made a motion to introduce **RS 19771C1**.

Rep. Jarvis clarified that the proposed legislation was created by the State Department of Education.

Vice Chairman Shirley commented that the language in section 2 of the proposed legislation is all new language. He requested that should the RS be printed, that **Rep. Jarvis** present information at the bill hearing that this language meets legal expectations.

On a voice vote, the motion carried with Representatives **Pence, Chavez,** and **Durst** voting **NAY**.

H 624: **Jason Hancock**, from the State Department of Education presented this bill to the Committee. He explained that this bill changes one word in code from “and” to “or”. It makes it possible for school districts that operate on a trimester schedule to allow release time for religious instruction in grades 9 through 12. Currently such districts fall within the maximum periods of release per week, but are limited by the maximum hours requirement in Idaho Code. Changing the law from having to meet both standards to being able to meet one or the other will bring the law into conformance with State Board rule and allow school districts with trimester or block schedules to accommodate a full year of release time. He explained that by changing this requirement it would not relieve students of the requirement to meet any state or school district graduation requirements.

Mr. Hancock explained that when the law was originally passed, there were not very many districts in Idaho that had alternative schedules. Since then, there are 13 districts with block schedules and 19 that have trimester schedules.

MOTION: **Rep. Thayne** made a motion to send **H 624** to the Floor with a **DO PASS recommendation**. **On a voice vote, the motion carried**. **Rep. Thayne** will sponsor the bill on the House Floor.

S 1367: **Rep. Elaine Smith** presented this bill to the Committee. She introduced **Dana Kelly**, from the State Board of Education and **Phil Whitcliff** from Veterans Administration who helped draft this legislation.

Rep. Smith explained that she has a daughter who is an Army pilot and son in law who is currently serving in Iraq. She explained that this bill expands and clarifies the residency requirements relating to veterans for tuition purposes at Idaho’s public institutions of higher education.

She further explained that the veteran has to have been in the military for at least two years and received an honorable discharge to qualify for Idaho residency status.

Co-Sponsor **Rep. Hagedorn** explained that at the beginning he and **Senator**

Bilyeu introduced competing bills regarding this issue and ran into some concerns with the State Board of Education. He reported that he and **Sen. Bilyeu** worked together and met with the State Board and worked out these concerns resulting in **S 1367**.

He reported that veterans improve the workforce in the state. He further reported that this bill would be a marketing tool for Idaho colleges and they want good students with good financial backing. He explained that **S 1367** helps the state and it is the right thing to do.

MOTION: **Rep. Nielsen** made a motion to send **S 1367** to the Floor with a **DO PASS** recommendation.

Rep. Boe commented that she went to college with veterans who were on the GI bill and veterans add to the institution and it is a win-win situation. **Rep. Hagedorn** commented that he spent 20 years in the Navy and did not use the GI bill to go to school because he had to support a family. He explained that the new GI bill has great benefits for veterans and allows them to bring their families with them when they come to the state to attend school.

Rep. Smith reported that the University of Idaho, Boise State University and Idaho State University have the "National Yellow Ribbon program" which gives options to veterans in Idaho.

On a voice vote, the motion carried. Rep. Elaine Smith and Rep. Hagedorn will sponsor the bill on the House Floor.

ADJOURN: There being no further business to be brought before the Committee, **Chairman Nonini** adjourned the meeting at 9:35 A.M.

Representative Bob Nonini
Chairman

Claudia Howell
Secretary

MINUTES

HOUSE EDUCATION COMMITTEE

DATE: March 10, 2010

TIME: 8:30 A.M.

PLACE: Room EW41

MEMBERS: Chairman Nonini, Vice Chairman Shirley, Representatives Trail, Block, Nielsen, Wills, Chadderdon, Shepherd (8), Marriott, Thayn, Gibbs, Hartgen, Thompson, Boe, Pence, Chavez, Durst, Chew

**ABSENT/
EXCUSED:** Rep. Wills

GUESTS: Melissa Vandenberg, Office of the Attorney General; Bill Nary, city of Meridian; Mike Vuittonet, Meridan School Board; Harold Ott, Idaho Rural Schools Assoc.; Sherri Wood, Idaho Education Assoc.; Phil Homer, Idaho Assoc. of School Administrators; Jessica Harrison, Idaho School Boards Assoc.; Eric Exline, Meridian School District

Chairman Nonini called the meeting to order at 8:35 A.M. **Rep. Pence** welcomed a group of teachers from the Magic Valley.

MOTION: **Rep. Chavez** made a motion to approve the minutes from the March 9th, 2010 meeting as submitted. **On a voice vote, the motion carried.**

H 636: **Vice Chairman Shirley** presented this bill to the Committee. He explained that this legislation requires each local school district in the state to adopt and file an internet use policy with the State Superintendent of Public Instruction. He reported that this requirement has become increasingly important with broadband expanding across the state. The policy, approved by the local board of trustees, shall require filtering technology that blocks internet materials that are harmful to minors, establish disciplinary measures for violators, and provide a component of internet safety to be integrated into the schools instructional program.

Vice Chairman Shirley explained that this bill codifies internet use policy already in statute and would put the state in compliance with the federal government's Childrens Internet Protection Act (CIPA) that was passed in 2000. He reported that this legislation is supported by the State Department of Education, the Idaho School Boards Association and the Idaho Association of School Administrators. He further reported that he has been told by **Karen Echeverria**, of the Idaho School Board Association that the Association has sample internet usage policies that will be available to districts to use if they wish.

Vice Chairman Shirley clarified that the State Department of Education has confirmed that all schools currently have a filter or blocking system in place on their school computers.

Sherri Wood, president of the Idaho Education Association spoke in support

of **H 636**.

Vice Chairman Shirley explained that the intent of the bill is to provide more flexibility for individual districts to develop their own internet policy. He further explained that the bill also gives districts a wide range to determine what is appropriate for them. **Rep. Durst** expressed his concern about possible restrictions of content on the internet for teachers.

In response to a question regarding if the policy would affect student owned computers and internet devices, Vice Chairman Shirley explained that the legislation only pertains to school owned computers.

Vice Chairman Shirley clarified that acceptable internet policy would be crafted and drafted by local trustees and sent to the State Department of Education for review.

Jessica Harrison, representing the Idaho School Boards Association clarified that the association would look the school districts's existing internet use policies to make sure it conforms to the new bill. In response to a question regarding written parental authorization and waiver of liability, Ms. Harrison explained that she would have to check with their legal counsel to answer this question.

MOTION:

Rep. Trail made a motion to send **H 636** to the Floor with a **DO PASS recommendation. On a voice vote, the motion carried. Rep. Shirley** will sponsor the bill on the House Floor.

Chairman Nonini welcomed teachers from Twin Falls, Wendell, Hansen, and Filer to the Committee meeting.

H 546:

Chairman Nonini announced that **H 546** was heard by the Committee last week and held until time certain, today.

Rep. Jarvis presented this bill to the Committee. He provided copies of the following for the Committee; a copy of legislative intent language from Title 67 (State Government and State Affairs), Chapter 28 (Purchasing by political subdivisions); an e-mail from **Mark Little**, the State Purchasing Manager, clarifying that the state has saved money by being able to use the requirement of lowest responsible bidder, a legal opinion from **S. Kay Christensen** from the Office of the Attorney General, outlining that the statutes applicable to the state's purchasing division and the division of public works utilize the term "lowest responsible bidder"; a copy of the definition of "lowest responsible bidder" from Title 67 (State Government and State Affairs), Chapter 57 (Department of Administration); and a copy of a proposed amendment to the bill which would remove the word "services" as services are not included with goods in statute.

Bill Nary, city attorney and Human Resource director for the city of Meridian spoke in support of **H 546**. He explained that by allowing school districts

to purchase from the lowest responsible bidder, it would create a fair market.

Mike Vuittonet, chairman of the Meridian School Board **spoke in support of H 546**. He explained that the school district would like to be treated as the state to purchase from the lowest responsible bidder. He further explained that the legislation would be good for school districts and would save the taxpayers money.

Eric Exline, from the Meridian School District, **spoke in support of H 546**. He explained that this legislation would help their district to buy the best product at the best price.

Rep. Jarvis concluded that school districts are pressed for funds and there is a need to spend money more wisely.

MOTION: **Vice Chairman Shirley** made a motion to send **H 546 to General Orders** with Committee amendments. **Rep. Thayn** seconded the motion.

SUBSTITUTE MOTION: **Rep. Hartgen** offered a Substitute Motion **to HOLD H 546 in Committee**. He explained that he had hoped to hear from private businesses and how this bill would affect them. He commented that this bill may be more expensive than it appears and it sets aside the current bid contracting law in Idaho. He explained that this bill is taking a request from a school district and applying to school districts across the state and all political subdivisions without thinking through the consequences. He commented that the Meridian school district makes a good case, but many school districts do not have this level of expertise. He felt that this bill would create more lawsuits and would also create problems at the local level. He also expressed his concern that the bill would be a barrier for new businesses. He requested that the sponsor broaden their analysis and maybe resubmit the bill next year.

ROLL CALL VOTE ON SUBSTITUTE MOTION: A roll call vote was requested on the Substitute Motion to **HOLD H 546 in Committee**. The Substitute Motion **failed on a tie vote of 8 aye, 8 nay, 2 absent and excused**. **Voting in favor** of the Substitute Motion: Reps. Block, Chadderdon, Shepherd, Marriott, Hartgen, Pence, Chavez and Chew. **Voting in opposition** to the Substitute Motion: Reps. Shirley, Trail, Thayn, Gibbs, Thompson, Boe, Durst and Nonini. Reps. Nielsen and Wills were absent and excused.

ROLL CALL VOTE ON ORIGINAL MOTION: A roll call vote was requested on the original motion to send **H 546 to General Orders with Committee amendments**. The motion **failed on a tie vote of 8 aye, 8 nay and 2 absent and excused**. **Voting in favor** of the original motion: Reps. Shirley, Trail, Thayn, Gibbs, Thompson, Boe, Durst and Nonini. **Voting in opposition** to the original motion: Reps. Block, Chadderdon, Shepherd, Marriott, Hartgen, Pence, Chavez and Chew. Reps. Nielsen and Wills were absent and excused.

Chairman Nonini explained that since both motions failed, **H 546** can be brought up at a later time for a Committee hearing.

Ann Joslin, State Librarian for the Idaho Commission for Libraries addressed the Committee. She reported that the Commission is no longer under the State Board of Education and is now a self governing agency. A

copy of her report is attached to the minutes.

Dr. Roger Stuart, a professor of literacy education at Boise State University addressed the Committee. He explained that he evaluated the Read to Me program from the Library Commission. (Copy of his report attached to the minutes).

Dr. Stuart explained that most of Idaho libraries are small and in rural areas. He further explained that the libraries are funded low and usage rates are quite high. He reported that the state's libraries look to the Idaho Commission for Libraries for guidance and there is mutual respect.

Dr. Stuart reported that 1,055 children in 691 families participated in the Every Child Ready to Read family workshops. In the Read to Me First Book program, 25 libraries distributed 19,568 books to 2,174 children.

Ms. Joslin reported that the Commission is currently working with support from the Bill & Melinda Gates Foundation to compete for federal broadband stimulus dollars. If federal money is awarded, the Commission will receive funds to partnership with the Department of Labor and other entities to provide new online resources for under-employed adults. She explained that specific programs would be online help in basic math, English, resume and job interview skills.

Dr. Stuart explained that his wife made the phone calls for the study on the Read to Me program and did not have the capability to survey those participants who spoke Spanish. He further explained that where the participants had adequate English skills, they were included in the survey. He reported that there is more comprehensive information available on the survey on the Commission for Libraries website. He further reported that if Committee members do not see the information they need to contact him.

Ms. Joslin reported that library usage is up with the current economic downturn. She further reported that the Commission is in the process of complying statistics from the previous year and clearly Idaho libraries have been used much more. She explained that participation in the state's libraries summer reading program increased by 38% from the previous year.

Dr. Stuart reported that Idaho spends \$26.02 per capita on libraries, which ranks them as 34th in the nation. He further reported that Idaho is 9th in the nation for library usage.

Rep. Block commented that it is very important for parents to read to their children and questioned if new mothers receive materials from local libraries.

Ms. Joslin explained that she did not have any statistics on this, but some local libraries do provide their information to new parents.

Rep. Chadderdon commented that she has visited the three libraries in Kootenai county and found that they are widely used by people that do not have access to computers in their home.

Ms. Joslin commented that the state's libraries are partnering with other state agencies including community colleges and the Department of Labor to offer broadband technology. She explained that there are 141 public

libraries in the state and none of the agencies have the reach of public libraries.

In response to a question regarding the Commission for Libraries appropriation, **Ms. Joslin** explained that from the original 2009 appropriation, there is a 30% cut proposed. She further explained that the Commission has given up four positions and remaining personnel is at a stress point. She commented that her major concern is that the Governor has recommended six days of furloughs and when JFAC wrote the appropriation bill, they took the furlough days out of the personnel budget instead of operations. She explained that money cannot be moved into personnel.

Chairman Nonini thanked **Ms. Joslin** for her presentation and commented that all state agencies are in tough economic times. He further commented that the Library Commission has the statistics that prove they are providing a valuable service.

ADJOURN: There being no further business to be brought before the Committee, **Chairman Nonini** adjourned the meeting at 10 A.M.

Representative Bob Nonini
Chairman

Claudia Howell
Secretary

MINUTES

HOUSE EDUCATION COMMITTEE

DATE: March 11, 2010

TIME: 8:30 A.M.

PLACE: Room EW41

MEMBERS: Chairman Nonini, Vice Chairman Shirley, Representatives Trail, Block, Nielsen, Wills, Chadderdon, Shepherd (8), Marriott, Thayn, Gibbs, Hartgen, Thompson, Boe, Pence, Chavez, Durst, Chew

**ABSENT/
EXCUSED:** Rep. Block

GUESTS: Rep. Frank Henderson, Luci Willits, State Dept. of Ed.; Harold Ott, ID Rural Schools Assoc.; Wayne Davis, ID Assoc. of School Administrators; Phil Homer, IASA; Robin Nettinga, ID Ed. Assoc.; Mark Browning, State Board of Ed.; Selena Grace, State Board of Ed.; Bert Marley, IEA; Alonzo Coby, Sho-Ban Tribe; Delbert Farmer, Sho-Ban Tribe; Laverne Beech, Sho-Ban Tribe; Mary Jane Oatman-Wak Wak, State Department of Ed.

Chairman Nonini called the meeting to order at 8:35 A.M. **Rep. Marriott** introduced members of the Sho-Ban Tribe including **Chairman Alonzo Coby, Delbert Farmer**, Director of the Tax Department and **Laverne Beech**, Director of Public Affairs.

RS 19759: **Aylee Schaeffer**, from the State Board of Education presented **RS 19759** to the Committee. She reported that she is the interim administrator of the Idaho Bureau of Educational services for the deaf and blind formerly known as the Idaho School for the deaf and blind. She further reported that legislation was passed last year which created the Bureau and established the board. She explained that the Bureau is a hybrid of a school district and a government entity. She reported that student enrollment on campus and in the outreach program has continued to grow with 22 new students on campus bringing the total to 89.

She explained that the proposed legislation clarifies the responsibilities of the Idaho Bureau of Educational Services for the deaf and blind and of its board. It also allows for the continuation of the transition to the bureau and allows them to operate more economically. The proposed legislation also clarifies the role of the Bureau's board and their relationship to the State Board of Education. It also creates opportunity for potential growth and flexibility. She reported that key features include, further clarification of Board's role and relationship with the interpreter act, allows for accrual of sick leave for their employees and also allows the employees to participate in the state's risk management program and group health care and gives the Bureau the ability to access the Permanent Building Fund as they did previously.

Ms. Shaeffer explained that the proposed legislation was modeled after

language in which the Idaho Digital Learning Academy was designated as a local government agency.

MOTION: **Rep. Wills** made a motion to introduce **RS 19759** and to send it directly to the second reading calendar.

Ms. Shaeffer clarified that employees of the Bureau would like to be treated as state employees as they were before with the same benefits. She further clarified that there is no opposition to the proposed legislation and the board and stakeholders have had input. She also clarified that they could only apply for permanent building funds for their campus in Gooding.

Rep. Boe commented that there has been controversy in the past regarding families who wanted to use cochlear implants with their children and the philosophy of the school for the deaf and blind. **Ms. Shaeffer** explained that this discussion has decreased but it will not go away.

Ms. Shaeffer explained that outreach programs continue to grow and they have transferred personnel from the school to outreach programs because of the increase. She further explained that the school is focusing on how to best meet the needs of their students and as new needs arise, they start something new. She clarified that they do work with Idaho State University's speech and pathology department.

Ms. Shaeffer clarified that they are currently studying the benefit of the possibility of residency programs expanding and will report back at a later time.

VOTE ON MOTION: **On a voice vote, the motion carried. Rep. Pence and Rep. Wills** will co sponsor this legislation on the House Floor.

RS 19708: **Rep. JoAn Wood** presented **RS 19708** to the Committee. She requested that the Committee print this RS and refer it to the Transportation Committee for review.

She explained that the proposed legislation is a House Joint Memorial urging the Idaho Congressional delegation to support change in federal law through the amending of the Business Activity Tax Simplification Act of 2009, HR 1083. The change would speak to taxation of interstate carriers and harmonization of western states businesses.

MOTION: **Rep. Nielsen** made a motion to introduce **RS 19708** and refer it to the House Transportation Committee. **On a voice vote, the motion carried.**

RS 19808: **Rep. Henderson** presented **RS 19808** to the Committee. He explained that the purpose of this proposed legislation is to establish trustee sub-districts throughout the jurisdictional area of community colleges having the authority to levy taxes. Starting with the election in November of 2014, this legislation would require that candidates for election as a community college trustee must have a primary residence in one of the sub-districts.

The purpose is to assure district-wide representation on the community

college governing body for decisions on executive hiring, property taxation, fees, tuition, strategic planning, capital improvements and other management issues of publicly own education institutions.

Rep. Henderson explained that the colleges involved are North Idaho College, the College of Southern Idaho and the College of Western Idaho. He further explained that NIC has taxing authority in just one county and CSI and CWI each serve two counties. He also explained that this proposed legislation has been circulated to CSI and CWI.

Rep. Durst commented that from the perspective of CWI, over 60% of the taxing district resides in Ada county and this would be problematic.

Rep. Wills commented that he would like to have the responses from CSI and CWI if this bill comes back for a hearing.

Rep. Hartgen expressed his concern that he spoke with the president of CSI and he explained that they have not seen a draft of the proposed legislation that they can support. **Rep. Henderson** explained that he faxed a copy of the proposed legislation to CSI last Monday, and they are currently circulating it among their board members.

MOTION: **Vice Chairman Shirley** made a motion to introduce **RS 19808**.

Rep. Chadderdon expressed her concern that there should be assurances that all of the representation should not come from one area.

On a voice vote, the motion carried.

H 640: **Luci Willits** introduced **Mary Jane Oatman-Wak Wak** who is head of Tribal Education for the State Department of Education. **Ms. Willits** explained that the Superintendent has been working on issues with Indian education and these issues are complicated because of the involvement of the federal government. She explained that the purpose of this bill is to establish in Idaho Code definitions for tribal schools and tribal education authorities. She further explained that by doing so, it will help provide official recognition of the important work being done in the state's tribal schools.

Ms. Willits explained that the Department would like to propose an amendment to the bill as a result of a conference call that was held yesterday with the US Secretary of Education. It was suggested by the Secretary that language needs to be tightened. The proposed change is in section 2 of the bill which defines "tribal education authority". The term "reservation" was taken out to reflect that the tribe does provide services outside of the reservation. The proposed amendment also makes it clear that tribal programs are funded by the US Bureau of Indian Affairs.

Rep. Marriott commented that in Bingham county a lot of children from the tribe attend the Blackfoot school district. **Ms. Oatman-Wak Wak** explained that the Blackfoot school district has an Indian education supervisor and a mix of state and federal funds are used for the education of tribal children. She further explained that in the Pocatello school district, they have chosen to allow the tribe to pay for educational services.

MOTION: **Rep. Chavez** made a motion to send **H 640** to General Orders with Committee amendments attached. All language from line 16 down would be stricken and replaced with new language as proposed by the State Department of Education.

Rep. Hartgen commented that he felt that the language on page 1, line 14 is redundant and questioned if all tribes have established tribal education authority. **Ms. Oatman-Wak Wak** explained that the tribe would be the tribal education authority or they could establish their own. She further explained that tribal education authority is on par with the state's education authority.

Ms. Oatman-Wak Wak clarified that federal education dollars flow to tribal children across state borders.

Chairman Nonini explained that currently there are two tribal schools in Idaho. One is on Coeur d'Alene tribe reservation within the Plummer Worley school district and one is in eastern Idaho on the Sho-Ban reservation and children also attend Pocatello or Blackfoot school districts.

Chairman Cobe thanked **Ms. Oatman-Wak Wak** for her hard work. He explained that the most valuable asset one can have is the education of children.

Ms. Oatman-Wak Wak explained that the two tribal schools in the state develop their own graduation requirements and students are required to take two years of native culture classes. She clarified that the state of Washington provides state funding for their tribal schools.

VOTE ON MOTION: **On a voice vote, the motion carried. Chairman Nonini and Rep. Chavez** will sponsor the bill on the House Floor.

Chairman Nonini commented that the Coeur d'Alene tribe is very supportive of local public schools. The tribe recently donated \$10,000 to an elementary school in Post Falls to help with the purchase of technology for their classrooms.

ADJOURN: There being no further business to be brought before the Committee, **Chairman Nonini** adjourned the meeting at 9:35 A.M.

Representative Bob Nonini
Chairman

Claudia Howell
Secretary

MINUTES

HOUSE EDUCATION COMMITTEE

DATE: March 15, 2010

TIME: 9 A.M.

PLACE: Room EW41

MEMBERS: Chairman Nonini, Vice Chairman Shirley, Representatives Trail, Block, Nielsen, Wills, Chadderdon, Shepherd (8), Marriott, Thayn, Gibbs, Hartgen, Thompson, Boe, Pence, Chavez, Durst, Chew

**ABSENT/
EXCUSED:** Representatives Block, Shepherd(8), and Durst

GUESTS: Jacob Kaessinger, North Idaho Discovery Association (NIDA); Salvatore Lorenzen, NIDA, teacher at Post Falls High School; Lorna Finman, NIDA; Brian Induni, NIDA; Zeke Esqueda, NIDA; Claire Hulton, NIDA; Karlisa Berry, NIDA

Chairman Nonini called the meeting to order at 9 A.M. He introduced **Jerry Keane**, Superintendent of the Post Falls School District.

Dr. Lorna Finman, from the North Idaho Discovery Association (NIDA) addressed the Committee. She explained that she is presenting student successes and future plans and is not asking the Legislature for any money. She reported that China and India are producing scientists and engineers four times the amount than the U.S. She further reported that the U.S. has already transferred manufacturing technology to these countries and China and India are becoming the leaders in engineering. She explained that NIDA is investing in Idaho's children by providing innovative programs that will ultimately result in technology start-ups and broader economic success for Idaho.

Ed Katz, a science teacher at Bonners Ferry High School and robotics coach addressed the Committee. He reported that his robotics students teamed with MIT and NASA in working on the international space station and a program called "zero robotics." He explained that this programs works with mini satellites. He explained that he took three students who had no previous programming experience and were included in a team of students to Boston to the control room of MIT.

Karlisa Berry, director of education programming at NIDA, addressed the Committee. She reported that "zero robotics" was the first of it's kind for Idaho. She further reported that NIDA recently hosted the world's largest Lego tournament with 65 teams and over 100 volunteers. This tournament was held in Post Falls. She showed an example of a Lego robot that was designed by 10 year olds.

There was a demonstration of a larger robot designed by high school students that was completed three years ago.

Salvatore Lorenzen, the professional technical department chairman for

Post Falls High School addressed the Committee. He explained that the robotics program gives students the opportunity to apply what they have been learning in the classroom. He reported that the challenge this year was to build a robot to play a game similar to soccer. The students had six weeks to build a robot for this challenge. He reported that STEM education is a big part of robotics. He reported that all three robotic teams are competing in Atlanta for the world championships. He explained that the control system used in the robots is the same one used in manufacturing.

Zeke Esqueda, captain of the robotics team at Post Falls High School addressed the Committee. He explained that he joined the team when he was a sophomore and he has become interested in technology since becoming involved. He reported that the robotics program has given him opportunities that he has never had before, such as the experience to work with engineers. He further reported that the program has opened many opportunities in his life and has motivated him to go into an engineering career. He also reported that the robotics program has opened up the broad view of what one can do with math.

Claire Hulton, a participant in the robotics program for the past three years addressed the Committee. She explained that she started working with robotics in the 8th grade in Portland. She reported that when her school became involved in the robotics program, she was excited to participate. She reported that robotics learning is at a fast pace and applies the things she has learned in mathematics and science. She explained that she has an exhilarating feeling when she is working on robots.

Dr. Finman reported that there are five teams of students in the robotics program in northern Idaho, but it is expanding to the rest of the state. She explained that one of the goals of NIDA is to expand these programs into all of Idaho. She reported that over 2,000 of Idaho students are involved in the robotics programs.

In response to a question regarding the possibility of students involved in the robotic programs graduating early, **Dr. Finman** explained that though she is not familiar with the legislation that was introduced on this issue, but she likes the idea. She further explained that she has been impressed with the students who have learned about engineering in a short time. She reported that students are hungry for challenges and there are quite a few that would qualify to jump ahead in school. She explained that the high school students who worked on the pilot “zero robotics” beat the college students from MIT in simulation exercises. She also explained that heroes for high school students are Hollywood stars and sports stars, but she wants to change this to have engineers and scientists as heroes. She explained that the U.S. has to be smarter about manufacturing technology to get these jobs back in our country.

In response to a question regarding support by Idaho institutions of higher learning of NIDA, **Dr. Finman** explained that the universities could recruit robotic students more.

She further explained that the mentors and sponsors of the robotic programs

are from the business community. She reported that robotic programs in the elementary schools have interfaced with the University of Idaho. She further reported that she has a meeting soon with the president of the University of Idaho.

Ms. Hulton clarified that she can take advanced placement classes in her junior and senior years. .

Mr. Lorenzen clarified that NIDA has a robotics lab at the middle school level and 188 students have gone through the lab. He explained that at high school level, robotics class allows students who have 4.0 grade point averages to interface with students from shop classes.

Brian Induni, one of the coaches of the Coeur d'Alene robotics team addressed the Committee. He reported that there are currently about 2,000 kids in the robotics program which started in a garage with two people. He reported that his wife is a global marketing manger for IBM and has worked with robotics teams in teaching them marketing strategies. He further reported that NIDA represents several programs including the first Lego league to "zero robotics". He explained that robotic programs offer scholarships to students, helps with college preparation, has innovative programs and creates a better understanding of technical aspects. He also reported that NIDA is working on the proposed Rathdrum Creek technology corridor. He explained that this project is on about 80 acres and will consist of three phases. The first phase is the science center, phase two is a Cal Tech style of learning institution and phase three would be an incubator system to allow those that come out of the institution to grow their ideas.

Dr. Finman reported that the ultimate goal of NIDA is to support educational institutions and to give extra opportunities to Idaho students. She also reported that technology competitions can solve problems. She explained that NIDA is working with the mining and agriculture industries to look for more efficient ways to do business. She further explained that she wants the Legislature to be an advocate in trying to change the cultural attitude. She commented that she would like to see school principals and superintendents recognize what the kids are doing in the robotic programs and come and show the students that what they are doing is important. She reported that NIDA is always looking to expand and they are not asking for taxpayer money.

Dr. Finman gave a brief background of her career. She explained that she received her doctorate in physics from Stanford University and worked closely with the medical community. She also was an astronaut candidate. Her husband received his doctorate degree from MIT and Stanford University. Their business, LCF, designs and manufactures power amplifiers for military and commercial applications. She explained that they manufacture an intricate collection of circuit boards and wires, designed to work as part of a system that jams signals to defeat remote controlled roadside bombs. She reported that all of their manufacturing is done by Idaho companies. She also explained that NIDA is underwritten by their own money.

In response to a question regarding opportunities for rural schools with NIDA, **Dr. Finman** explained that they would love to work with rural schools and encouraged any one who was interested to contact them and they would receive free resources. She further explained that robotic teams do not have to be attached to a school. She also explained that links could be put on the Idaho Education Network for NIDA.

Jacob Kaessinger, a member of the Bonners Ferry robotics team addressed the Committee. He reported that he built the large robot used in today's demonstration in six weeks. He explained that the team consisted of 23 students, which was a mixture of freshmen to seniors.

Dr. Finman clarified that the property for the proposed Rathdrum Creek Technology corridor has been donated by she and her husband.

Jerry Keane, Superintendent of the Post Falls School district addressed the Committee. He reported that they are fortunate to have the Finman's business in his area. He explained that business and education are working together to accomplish huge things. He explained that the robotics teams are about teaching teamwork and presentation skills and the Finmans are supporting all of this with their own money. He congratulated the staff and students for their accomplishments.

Tom Luna, Superintendent of Public Instruction addressed the Committee. He explained that when students know they see relevance to what they are learning, rigor will take care of itself. He reported that Boise State University has reported that one third of their engineering graduates had to take remedial math. He explained that the robotics programs have allowed students to perform at higher levels and it has changed their approach to education. The students understand the procedures of math and it's application to real world problems. He commented that businesses want employees who are problem solvers and by understanding math concepts, it allows them to do this.

Chairman Nonini commented that the Finman's started a scholarship program about three years ago and put up \$20,000 annually for students going on to Idaho institutions and majoring in engineering. He congratulated the students and teachers who participated in today's meeting and emphasized the importance of this program. He also encouraged Committee members to attend any robotic competition in their areas.

ADJOURN:

There being no further business to be brought before the Committee, **Chairman Nonini** adjourned the meeting at 10:30 A.M.

Representative Bob Nonini
Chairman

Claudia Howell
Secretary

MINUTES

HOUSE EDUCATION COMMITTEE

- DATE:** March 16, 2010
- TIME:** 8:30 A.M.
- PLACE:** Room EW41
- MEMBERS:** Chairman Nonini, Vice Chairman Shirley, Representatives Trail, Block, Nielsen, Wills, Chadderdon, Shepherd (8), Marriott, Thayn, Gibbs, Hartgen, Thompson, Boe, Pence, Chavez, Durst, Chew
- ABSENT/
EXCUSED:** Rep. Wills
- GUESTS:** Karen Echeverria, Idaho School Boards Association; Sherri Wood, Idaho Ed. Assoc.; Wayne Hoffman, Idaho Freedom Foundation; Wayne Davis, Idaho Assoc. of School Administrators; Harold Ott, Idaho Rural Schools Assoc.; Mark Browning, State Board of Ed.
- Chairman Nonini** called the meeting to order at 8:30 A.M.
- MOTION:** **Rep. Thompson** made a motion to approve the minutes from the March 10th, 2010 meeting as submitted. **On a voice vote, the motion carried.**
- MOTION:** **Rep. Thompson** made a motion to approve the minutes from the March 11th, 2010 meeting as submitted. **On a voice vote, the motion carried.**
- RS 19797:** **Treasurer Ron Crane** presented **RS 19797** to the Committee. He explained that last year there was legislation passed dealing with the school bond guarantee fund. He further explained that in the course of dealing with this fund, it was discovered that there was vague and ambiguous language in code regarding the process of recovering the default of a guaranteed school bond. He reported that **RS 19797** clarifies how the State Treasurer would obtain funds from the School Bond Guaranty Act to prevent the default of a guaranteed school bond and how any payments made by the Treasurer would be repaid to the state by the school district. It also provides several options to the Treasurer for making a scheduled bond debt service payment should a district default. The legislation also removes the requirement that sales tax monies be placed in a school bond guarantee fund and allows the Treasurer to request a transfer of sales tax monies for only the debt service payment or to repay money borrowed from another source. It also allows the Treasurer to establish notification procedures in the unlikely event of a funding deficiency.
- MOTION:** **Rep. Chadderdon** made a motion to introduce **RS 19797**. **On a voice vote, the motion carried.**

Dr. Bob Kustra, President of Boise State University addressed the Committee. He reported state cuts are pushing colleges into failure. He explained that higher education is experiencing a huge decline in funding from states and some are eliminating programs. He reported that over two thirds of students receiving undergraduate degrees receive those degrees from public colleges. He explained that challenges are both internal and external. Internally, the challenge is to find ways to do things more cost effectively. He reported that at BSU they are trying to make better use of their resources. They have created an intercession term during the winter break to better utilize empty buildings. This term, as well as the summer terms, are entirely financed by the students.

He also explained that BSU is currently looking into a three year degree program that is currently offered by 10 other colleges. He reported that only a few students have taken part in a program in which the University pays for additional classes when the student does not complete their degree in four years. Students have to sign a contract that says they will take the required courses during the required time line. He reported that many students cannot afford to stay in college full time for four years. He further reported that many metropolitan universities such as BSU have “stop out” students. These students stop and go to work, then return to college.

Dr. Kustra reported that BSU has significantly increased their classroom sizes. They have also worked on energy management and the new College of Business and Economics will be heated by geo thermal energy. BSU has also eliminated several positions by entering into a mail services agreement which makes them part of the state mail system.

Dr. Kustra explained that there is a need to reexamine the role of state government in state universities. He explained that the new Business and Economic building was built entirely with private money, but it is under state regulations. He also explained that what we call state universities are not state. He reported that universities are looking for flexibility to be more entrepreneurial and would like to be able to use the contractor with lowest responsible bid and not just lowest bid. He explained that this bidding process would be the responsible way to have the University work with the Department of Public Works.

Dr. Kustra expressed his thanks to the Legislature for passing the property tax exemption bill which would allow the University to implement more inventive ways to build housing. The higher education stabilization fund would allow the University to use the interest paid on student tuition for rainy day funds.

He reported that currently the University has to go through two purchasing agents to purchase goods, the University's and the state's. He explained that especially when purchasing scientific equipment, it makes more sense to give flexibility to just go through the University's purchasing department because there is usually a deadline for grant money, and purchasing the item could get hung up in the state purchasing bureaucracy.

Dr. Kustra clarified that Boise State receives 22% of their funding from the state, the University of Idaho receives close to 30%; and Idaho State University receives about 20%.

He explained that the total size of their budget jumps every year, and the

state is giving less money. He further explained that at some point, regions of country will have to get together to offer students access to various colleges and pay in state fees to offer the programs that they need.

Dr. Kustra reported that over the last three years, Boise State has more than doubled its concurrent enrollments. This year over 1,500 students will earn approximately 7,000 college credits. He explained that BSU offers concurrent enrollment on a regional basis. He further explained that the evidence is substantial that students are wasting away their senior year. He reported that he is an advocate of moving students out of high school and into college a year earlier. He explained that concurrent enrollment is a great way to get students interested in higher education.

Dr. Kustra explained that the College of Western Idaho is fully supported by BSU and is a great alternative for students. He reported that BSU did lose 300 to 400 students when CWI opened last fall, but expects to see the graduates enroll.

Rep. Durst commented that as an adjunct professor at CWI; 80% of his students plan to continue at BSU. He questioned why BSU has not offered post graduate degrees as promised. **Dr. Kustra** explained that this area has been held back by the economy. He further explained that to put a doctorate program together, additional faculty has to be hired and this has not been possible with the cut backs. He also explained that the University is working on a plan that would allow for larger fees for students in more expensive programs such as engineering.

Dr. Kustra clarified that it costs about \$2,500 a semester for an Idaho resident to attend BSU. An out of state student would pay double that fee and tuition for private colleges and universities are about quadruple this cost. He explained that private universities use endowment funds to supplement tuition costs and many students do not pay the full amount.

H 650:

Rep. Phil Hart presented this bill to the committee. He explained that the purpose of this legislation is to provide public transparency for the spending of Idaho's public school districts. By the end of 2010, the legislation requires that each school district with over 300 students post on the internet all of their expenditures in a pdf format. The bill also requires that by the end of 2011, these expenditures must be posted in an internet searchable format. He explained that this legislation does not make an exception for information that is already prohibited from public disclosure by other sections in Idaho Code.

Rep. Hart reported that he has spoken with the city of Eagle and the city of McCall, and they currently use a searchable pdf format to post their expenditures on the internet. He explained that they reported to him that they only spent one to two hours of their time to put this information online. He further explained that these cities spend a minimal amount of time keeping their financial web page up to date and it also reduces the amount of public records requests.

Rep. Hart explained that it is not his intent to require school districts to have a sophisticated website to display this information.

Chairman Nonini commented that school districts have been given additional flexibility with discretionary funds and there is a need for transparency.

Rep. Trail commented that he supports the intent of this legislation, but shared correspondence from the school superintendent in the Genesee school district who reported that to implement the legislation; it will cost his district about \$6,800 the first year plus an annual cost of \$2,400. **Rep. Hart** explained that the bill only affects districts that have more than 300 students and his intention was that an excel spreadsheet or pdf format would satisfy the provisions of the bill. He further explained that any school district that already has a website would not take much to get this started.

Rep. Chavez explained that she received a similar response from Lewiston school district as to the cost to implement this bill. She further explained that the district has already reduced IT support and it would make it more technically difficult to get this information up and maintain it. **Rep. Hart** explained that the intention of bill is to use existing technology and it should only take two to three hours a month to enter the financial information on the website and should not require any outlay of additional expenditures.

Rep. Hart explained that in the second sentence in the fiscal note of the Statement of Purpose should read "personnel time" instead of "personal time".

Rep. Boe suggested that the language regarding exception of information in the Statement of Purpose should be taken from lines 22 to 24 in the bill. **Rep. Hart** agreed that this would be good idea.

Rep. Marriott commented that he had received the same response from the school districts in his area that this legislation would be costly. He further commented that he felt this legislation would be an unfunded mandate.

Rep. Hart reported that there are 115 school districts in the state and 84 districts have more than 300 students and would be affected by this legislation. He further reported that about 85 districts currently have a website.

MOTION:

Rep. Hartgen made a motion to send **H 650** to the Floor with a **DO PASS recommendation**.

Rep. Durst expressed his concern that most rural school districts would be excluded in the legislation. **Rep. Hart** explained that there is nothing in the legislation that would prohibit smaller districts to post their information on a volunteer basis. He further explained that it was his rationale to not put an additional burden on districts who do not already have a website.

Karen Echeverria, executive director of the Idaho School Boards Association testified in **opposition to H 650**.

She explained that districts are not opposed to having the public review their financial documents, but felt that the searchable requirement would be difficult for some school districts to meet. She reported that some rural schools are still on dial up internet connections. She further reported that

with the intent language that is proposed with the public schools appropriation bill, school districts would have to report to the State Department of Education to give an accounting of how their discretionary funds were spent and then the Department would report to the Legislature. She explained that she felt there was not a need for this legislation.

Dr. Wayne Davis, executive director of the Idaho Association of School Administrators (IASA) testified in **opposition to H 650**. He explained that the Association has no problem with transparency issue, but they are concerned about the requirement in the legislation to have a searchable data base. He further explained that IASA considers this legislation to be an unfunded mandate and duplication of services already available to the patrons of local school districts through an established process in the Idaho Basic Educational Data System (IBEDS).

Chairman Nonini commented that IASA said the statistics from IBEDS were incorrect when the State Department of Education used them to report which districts gave raises to their employees and now IASA says these statistics are correct and would provide what the public needs for financial information.

Dr. Davis responded that you could get any information you want depending on how you ask the question.

Dr. Davis explained that it would be easier to support the legislation if the language requiring the searchable data base were removed. He further explained that he was not aware of any issues in the past with requests for financial information from school districts.

Harold Ott, representing the Idaho Rural Schools Association testified in **opposition to H 650**. He explained that public schools belong to the public and the transparency piece of the legislation is no problem. He further explained that the superintendents do see a time commitment on their part and a cost to the district to implement this legislation. He explained that some of the districts do have websites, but he did not know the exact number.

Wayne Hoffman, executive director of the Idaho Freedom Foundation addressed the Committee. He explained that his organization does not lobby in support or opposition to legislation. He explained that the transparency effort is a national movement and citizens are more informed as to how their money is spent.

He reported that his organization has been told by people across the state, that when taxpayers see how their dollars are being spent by public schools, more people would more likely support tax levies for schools. He also reported that currently the amount of money an employee makes is already public record.

Mr. Hoffman explained that they do have financial information for many of the school districts available on their website, but not all. He further explained that the proper role of government is to provide transparency.

In response to a question regarding how his association obtained the financial information for public school districts, Mr. Hoffman explained that he went to school districts one at a time and also used the IBEDS data. He further explained that the expenditures in the IBEDS data are more generalized.

In response to a question regarding the difference between a pdf format and a searchable pdf format, Mr. Hoffman explained that a non searchable pdf format could just be a scanned document posted on the website. This data could not be manipulated. He further explained that in a searchable pdf, one can enter a key word and find the information they are looking for.

SUBSTITUTE MOTION:

Rep. Boe offered a Substitute Motion to **HOLD H 650** in Committee. In speaking to her motion, she explained that while transparency is important, this legislation will impose a huge burden on districts at a time when budgets are stringent.

Rep. Hart explained that a couple of hours a month that it takes districts to post their financial information is not much to ask. He explained that there is some confusion in the bill and requested that the Committee send **H 650** to General Orders for changes.

AMENDED SUBSTITUTE MOTION:

Rep. Thayn offered an Amended Substitute Motion to **send H 650 to General Orders**. **Rep. Durst** seconded the motion. **On a voice vote, the motion carried.**

Chairman Nonini announced that due to the lateness of the hour, **H 637** on today's agenda will be heard first tomorrow morning.

ADJOURN:

There being no further business to be brought before the Committee, **Chairman Nonini** adjourned the meeting at 10:20 A.M.

Representative Bob Nonini
Chairman

Claudia Howell
Secretary

MINUTES

HOUSE EDUCATION COMMITTEE

DATE: March 17, 2010

TIME: 8:30 A.M.

PLACE: Room EW41

MEMBERS: Chairman Nonini, Vice Chairman Shirley, Representatives Trail, Block, Nielsen, Wills, Chadderdon, Shepherd (8), Marriott, Thayn, Gibbs, Hartgen, Thompson, Boe, Pence, Chavez, Durst, Chew

**ABSENT/
EXCUSED:** None

GUESTS: Kathie Garrett, Idaho Academy Family Physicians; Harold Ott, Idaho Rural Schools Assoc.; Mark Browning, State Board of Ed.; Allison McClintick, State Board of Ed.; Ken McClure, Idaho Medical Assoc.; Jessica Harrison, Idaho School Boards Assoc.; Bert Marley, Idaho Education Assoc.

Chairman Nonini called the meeting to order at 8:35 A.M.

MOTION: **Rep. Thompson** made a motion to approve the minutes from the March 15th, 2010 meeting as submitted. **On a voice vote, the motion carried.**

H 637: **Mark Browning**, from the State Board of Education presented **H 637** to the Committee. He explained that this legislation continues the Board's efforts to place duties where they best reside. He further explained that currently, every student who is studying to become a K-8 educator in Idaho at one of the state's public institutions takes the Comprehensive Literacy Assessment. The Assessment tests reading literacy preparedness for teachers. Current statute dictates that the Board design and administer the test. **H 637** would have the Board assign that duty to the individual institution, including the design and administration through a system wide oversight committee. The money that pays for these tests is already in the base of the college/university budgets so there is no impact to the general fund. The Board has worked with the individual deans from the colleges of education at the state's institutions during the drafting of this language and the deans support this change.

He explained that the State Board of Education has a broad, deep scope of responsibility in its constitutionally mandated "general supervision" of all education in Idaho. He reported that the passage of **H 637** would permit the Board to delegate this particular task to its institution and as such, the Board will be able to more fully focus its efforts and attention on policy and oversight rather than direct administrative duties.

Mr. Browning clarified that the assessment test would be uniform statewide.

In response to a question regarding the difference between the literacy

assessment test and praxis tests, **Allison McClintick** from the State Board answered that praxis tests are content specific and the assessment looks at literacy preparedness for K-8 teachers and this legislation would extend the assessment test for students planning to teach K-12 as well.

Ms. McClintick clarified that the assessment is built into the teacher preparation courses and there would be no extra cost to the student. She further clarified that the rubric for the assessment will be built this summer by a state-wide committee including the deans of the education from the state's colleges and universities. The rubric for the assessment will go through the rule making process.

Ms. McClintick also clarified that any student who gets certification must pass the assessment test and the test can be taken multiple times. She also explained that the cost of the test is built in to the base budget of each institution. She further explained that the literacy assessment test is not required for teachers currently in the classroom.

MOTION: **Rep. Wills** made a motion to send **H 637** to the Floor with a **DO PASS recommendation. On a voice vote, the motion carried. Rep. Nielsen** will sponsor the bill on the House Floor.

Chairman Nonini welcomed a group of teachers from eastern Idaho including Pocatello, Idaho Falls and Rexburg.

S 1305a: **Senator John Goedde** presented **S 1305a** to the Committee. He explained that this legislation is the result of a problem in a school district in northern Idaho. A group of citizens wanted property annexed into a school district and it was voted in, then it was discovered the legal description was incorrect. He explained that **S 1305a** requires that a legal description of the boundary change must be included in the petition for annexation or excision. An incorrect legal description may invalidate the election and this bill will require the petitioners to provide a professionally prepared legal description in their petition so second elections will not be needed. Sen. Goedde explained that there is an amendment to the bill to provide that the legal description must be done by a professional land surveyor or licensed professional engineer professionally trained and experienced in legal descriptions or real property.

MOTION: **Rep. Thayne** made a motion to send **S 1305a** to the Floor with a **DO PASS recommendation.**

Sen. Goedde clarified that if a professional surveyor makes a mistake on the legal description resulting in a second election, they could be held liable for that cost.

On a voice vote, the motion carried. Rep. Thayne will sponsor the bill on the House Floor.

S 1365a: **Senator Goedde** presented **S 1365a** to the Committee. He explained that the Board of Education manages a rural physician incentive fund which is used to reimburse a portion of medical education expenses for doctors who choose to practice medicine in rural locations with physician shortages.

Under current law, the fund consists of payments made by medical students

who receive state support for their medical education expenses. This legislation would allow the fund to accept voluntary contributions, grants and appropriations to increase the utility of the fund for recruiting physicians to work in under served rural areas. Sen. Goedde explained that physicians donate 4% of the support they received from the state into a fund for rural physicians. He further explained that under current provisions, they can only take out what they put in a year and the amendment to the bill would allow for a bigger withdrawal from the fund should there be grant or donation dollars over the amount contributed by the medical students.

Sen. Goedde clarified that the state contributes approximately \$40,000 per year for students in the WWAMI program at the University of Washington and the medical school at the University of Utah. They physician returning to a rural practice in Idaho could receive up to \$10,000 per year for five years to help pay off their student debt.

MOTION:

Rep. Boe made a motion to send **S 1365a** to the Floor with a **DO PASS recommendation**.

Sen. Goedde explained that the money paid back to the rural physician would be sent directly to the physician to pay off the debt. He also explained that only physicians who have participated in the WWAMI program at the University of Washington and the medical school at the University of Utah pay into this fund. He further explained that the 4% of the state's contribution is paid annually.

Rep. Durst commented that although he sees the need for physicians in rural parts of the state, there is also a shortage of physicians in all parts of the state.

Rep. Trail commented that about 70% of all of the students from Idaho participating in the WWAMI program at the University of Washington and the medical school at the University of Utah return and practice in rural Idaho.

Ken McClure, representing the Idaho Medical Association testified in support of **S 1365a**. He explained that it is difficult to get physicians to practice in rural areas and the natural gravitation is to more urban areas. He further explained that this legislation is a mechanism to bring more physicians to rural Idaho and creates a pot of money for those who qualify for this. He reported that it is a current rule of the Board of Medicine that those that pay into this fund go to the front of the line, and those who do not pay in go to the back of the line.

Mr. McClure reported that the state pays \$43,000 per year for students in the WWAMI program and \$37,000 per year for students in the University of Utah's medical school which is the approximate difference between in state and out of state tuition costs.

VOTE ON MOTION:

On a voice vote, the motion carried. Rep. Boe will sponsor **S 1365a** on the House Floor.

Dr. Barbara Morgan and **Dr. Louis Nadelson** from Boise State University

addressed the Committee. They discussed the Science and Mathematics Teacher Imperative (SMTI). They explained that this a long term effort to address the shortage of well qualified secondary science and mathematics teachers. SMTI is funded by the Carnegie Corporation of New York, the National Science Foundation, in kind contributions for faculty time by universities and the Association of Public and Land Grant Universities. (Copy of power point presentation attached to the minutes).

Dr. Morgan explained that Boise State University was selected to be a part of the leadership collaborative. She explained that a survey was sent out to all of the secondary principals in the state to ask about their science and math teacher needs. She reported that out of the 300 surveys that were sent out, there were 175 responses. She further reported that BSU is in the beginning stages of the SMTI and is working on a strategic plan. Priorities include developing a secondary math and science teacher education pathway with the College of Engineering, adopt and adapt UTeach (a program that attracts and retains high quality science and math teachers by integrating teaching courses and content knowledge courses), develop and offer continuing education and professional development courses and create a STEM Education center.

Chairman Nonini expressed his frustration that only 175 surveys were mailed back out of the 300 sent to secondary principals. He also commented that the **Finmans** who recently presented to the Committee with their robotics program would be a great resource in the development of the SMTI.

In response to a question regarding the Idaho Education Network and it's application to the SMTI program, **Dr. Nadelson** explained that they are interested to look at the IEN as a way to deliver courses to rural areas especially in the math and science fields.

Dr. Morgan explained that the national trend is that there is most need for teachers in the areas of math, physics, special education and chemistry in the secondary schools. In response to a question regarding how to attract students to go into teaching in these content areas, **Dr. Nadelson** explained that there is a need to start earlier than the university level and spark interest at the high school level. **Dr. Morgan** explained that the perception needs to change about what it means to be a teacher.

Rep. Chavez commented that she participated in a pilot project of girls only and boys only science classes. **Dr. Nadelson** commented that education should look into gender difference and they are in the process of gathering data and everything is out on the table for discussion.

Rep. Block commented that the nation is not graduating enough of scientists and engineers and more students from other countries are taking advantage of the superior education system offered in the U.S. She questioned the effectiveness of scholarships for these areas. **Dr. Morgan** explained that scholarships are available and are very effective. She further explained that they are looking at giving scholarships to rural students to come back and teach in rural areas.

Dr. Nadelson reported that BSU recently graduated 24 students with math

and science teaching scholarships which gave them \$10,000 a year for up to two years. Currently there are 21 in teaching positions. He explained that it is difficult to track these students once they leave the university.

Rep. Boe questioned if the presenters had seen students who plan to go into the teaching the field and are now disillusioned because of all of the proposed cut backs and salary cuts. **Dr. Morgan** explained that the students are bright, eager and motivated. She further explained that people do not go into the teaching field to make money, they go into teaching to change the world. **Dr. Nadelson** explained that teaching is a rewarding and fulfilling career. He further explained that he shows his students resources should not limit their desire to teach and they should not be looked at as a barrier. **Rep. Boe** commented that it is nice to hear good news about teaching for a change.

In response to a question regarding if there is a need to pay math and science teachers more to attract more teachers into this field, **Dr. Nadelson** explained that paying math and science teachers more could be tricky especially in rural areas. He further explained that teacher excellence should be rewarded and not content areas. He stated that there should not be anything in place that would be divisive. **Dr. Morgan** explained she was an elementary teacher for 24 years and elementary teachers have great influence over their students.

In response to a question regarding her experience as an astronaut, **Dr. Morgan** gave a brief account of what it felt like to be launched into space.

ADJOURN:

There being no further business to be brought before the Committee, **Chairman Nonini** adjourned the meeting at 10:10 A.M.

Representative Bob Nonini
Chairman

Claudia Howell
Secretary

MINUTES

HOUSE EDUCATION COMMITTEE

DATE: March 18, 2010

TIME: 8:30 A.M.

PLACE: Room EW41

MEMBERS: Chairman Nonini, Vice Chairman Shirley, Representatives Trail, Block, Nielsen, Wills, Chadderdon, Shepherd (8), Marriott, Thayn, Gibbs, Hartgen, Thompson, Boe, Pence, Chavez, Durst, Chew

**ABSENT/
EXCUSED:** Rep. Block

GUESTS: Mark Little, Division of Purchasing; Gary Mahn, Fisher's Office Products; Jeremy Chou, Givens Pursley/Fisher's; Mark Zaleski, International Brotherhood of Electrical Workers; Butch Hatch, Nick & Willys Pizza; Marc Bernsen, National Electrical Contractors Assoc.; Jerry Peterson, Building Trades; Harold Ott, Idaho Rural Schools Assoc.; Phil Homer, Idaho Assoc. of School Administrators; Karen Echeverria, Idaho School Boards Assoc.; Jessica Harrison, Idaho School Boards Assoc.; Bert Marley, Idaho Education Assoc.; Erik Makrush, Idaho Assoc. of Building Officials; Luci Willits, State Department of Ed.; David Ferdinand, Canyon County; Martin Bilbao, Connolly Smyser; Eric Exline, Meridian School District; Bruce Gestrin, Meridian School District; Brady Kraft, Idaho Ed. Network; Rep. Max Black; Suzanne Budge, SBS Associates; Christina Linder, State Dept. Of Ed.; Pat Sullivan, Sullivan & Reberger

Chairman Nonini called the meeting to order at 8:35 A.M.

H 643: **Rep. Durst** presented **H 643** to the Committee. He gave a brief background concerning this legislation. He explained that last year legislation was passed concerning online education and in order to make sure there is quality online education he arranged a series of meetings with major stakeholders including the Idaho Association of School Administrators, the Idaho School Boards Association, the Idaho Education Association and the Idaho Digital Learning Academy . He further explained that private providers have also had input into this legislation.

Rep. Durst explained that this bill creates a new chapter in Idaho code known as Idaho Online and Virtual Education. It requires that all individuals employed as teachers or in the role of a teacher in an online environment hold a certificate in online instruction as created by the State Department of Education.

He explained that the process of teaching in an online environment is very different from teaching in the regular classroom. He reported that In 1990's teachers were required to obtain a certificate in technology.

He explained that the certificate would not apply to online teachers who

teach supplemental curriculum, only those that teach online classes for credit. He further explained that the legislation also provides for a grandfather clause for teachers with prior experience in online instruction. The legislation also gives the State Board of Education the ability to waive the certificate requirements for faculty members of a post secondary institution, provided that they are able to pass a criminal background check. He explained that rules would be promulgated to include the private providers and the enactment date of the legislation would be July 1st, 2015.

In response to a question regarding what kind of provisions would be made for a teacher coming from out of state who did not have this certificate, **Rep. Durst** explained that latitude would be given on how to write rules to address this issue and there is language that includes these teachers in the grandfather clause.

Rep. Durst clarified that the State Board of Education could direct the State Department of Education to promulgate rules for this certificate. He also clarified that representatives from higher education were not involved in the drafting of this legislation. He further clarified that there would be no cost for this certificate if the teacher were to receive training from the private providers such as the Idaho Digital Learning Academy, but if the teacher received training from the college there would be a charge.

Rep. Hartgen commented that he received an e-mail from Boise State University indicating that there is currently no standard as to what this online certificate would mean.

MOTION:

Rep. Hartgen made a motion to **HOLD H 643** in Committee.

Rep. Durst explained that the reason for the July 1, 2015 enactment date in the legislation is to allow teachers of online instruction to do what they are doing and to allow enough time to develop standards.

Rep. Durst clarified that some of the members of the State Department of Education's online education committee provided technical expertise for the drafting of this legislation.

Karen Echeverria, executive director of the Idaho School Boards Association testified in **support of H 643**. She explained that there is a different atmosphere for online instruction and the Association is comfortable with a certificate similar to the technology certificate. She clarified that the State Department of Education does not have rule making authority, and the State Board of Education would delegate this authority to the State Department to promulgate rules. She related an instance where a college professor taught an online course which included high school students and used inappropriate language.

Brady Kraft, technical director of the Idaho Education Network testified in **opposition to H 643**. He explained that IEN was not invited to participate in the drafting of this bill. He further explained that the IEN is involved with online content providers. He reported that the IEN would like to request that this bill be held to give more time for more stakeholders to become involved.

Mr. Kraft explained that the people responsible for the content on the IEN could not be present to testify today. He further explained that the IEN is involved in facilitating synchronous education which is rapidly growing in institutions of higher education.

Bert Marley, representing the Idaho Education Association testified in **support of H 643**. He explained that the IEA has been involved in drafting of this legislation and the IEA likes the idea that a new chapter on virtual and online education would be created in Idaho Code with this legislation. He further explained that the IEA also likes the idea of a certificate for online instruction and feels that a certificate would move the profession forward.

Mr. Marley explained that he felt no discomfort that the IEN and higher education had no input into this legislation.

Luci Willits, representing Supt. Tom Luna from the State Department of Education testified in **opposition to H 643**. She explained that the Department has concerns about timing of this bill being late in the session. She further explained that if everyone will be grandfathered in, why wait for five years to implement this legislation. She reported that the State Department was not involved in the drafting of this legislation and there are far reaching aspects of this bill which include professors of higher education teaching dual credit classes which could become burdensome for the State Board. She also explained that the definitions in the bill do not align with the Department's current standards on virtual education. She reported that an in depth inventory is needed and there is an issue of cost. She further reported that when standards are created, it is a collaborative process and that if a class is required for teachers to get a certificate, that will not be paid for by the state.

Ms. Willits clarified that the State Department does have a committee with representatives of higher education that has dealt with online standards. This standards were put into rule and approved by the Committee this legislative session.

Christina Linder, director of standards for the State Department of Education addressed the committee. She explained that the Department had same concerns that **Rep. Durst** had two years ago. The Department opened up the opportunity for representatives of higher education and the private community to work on online standards which are based on national standards. She reported that these standards did go to all deans of education, private providers and to the public for review.

Ms. Linder explained that the reason the bill is contrary to the standards that were promulgated by the Department is that the standards are not a checklist, but a pedagogy which deals with a special form of delivery and assessment. She clarified that stakeholders involved in the committee that drafted the standards included representatives from the State Board of Education, several different universities, the Idaho Digital Learning Academy and the Idaho Virtual Academy.

Rep. Durst explained that the IEN is not involved in content and is the road that the cars drive on to deploy education. He further explained that the State Department was given the opportunity to participate in the drafting of this legislation but chose not to. He explained that it is important to have background checks for online teachers from higher education to protect the children they work with. He also explained that he was aware that the Department had promulgated rules that had standards for virtual and online education and these standards were the foundation for this legislation. He reported that the Department created the standards, but the Idaho Education Association and the School Boards Association were not involved and they are the ones that have to deal with this issue.

Rep. Durst explained that accreditation is an important issue because if a private provider of online instruction does not have these standards, schools using these providers could lose accreditation.

VOTE ON MOTION:

On a voice vote, the motion to **HOLD H 643** in Committee **carried**.

H 546:

Rep. Jarvis presented this bill to the Committee. He provided a handout to Committee members that defined “lowest responsible bidder” as the contractor that submits the lowest bid that still includes all of the materials, labor, design and quality features desired and required as well as other needed expenses along with a reasonable earned profit for the contractor without cutting any corners or making any mistakes or omissions. He explained that the purpose of this legislation is to revise provisions relating to procurement requirements for school districts by changing “lowest qualified bidder” to “lowest responsible bidder”. He reported that in providing the lowest price for the taxpayer, the lowest responsible bidder is used and in Idaho, there is a definition in Code for the lowest responsible bidder.

In response to a question regarding if this legislation would apply to institutions of higher education, **Rep. Jarvis** explained that the bill would apply to political subdivisions and was not sure if higher education would be included.

MOTION:

Rep. Wills made a motion to send **H 546** to the Floor with a **DO PASS recommendation**.

Mark Little, purchasing manager for the Division of Purchasing testified **in support of H 546**. He explained that to allow political subdivisions to come in line with what the state already does would be a good thing.

Rep. Nielsen commented that he does not see language in the bill that would allow for new businesses to compete. **Mr. Little** explained that if a new business could demonstrate experience, they could be deemed responsible.

Gary Mahn, owner of Fisher’s Office Products testified in **opposition to H**

546. He explained that this bill will not save the taxpayers money and instead will cost money. He further explained that the legislation changes “qualified” to “responsible”. He explained that qualified is objective, responsible is subjective. He related his experience with the Meridian School District copier contract. He explained that the copier contract went out for bid and Fisher’s bid was \$660,000 lower than Xerox’s bid, but Xerox was chosen. Fishers protested the bid and the district decided to go out for a rebid. He reported that the district is still using old copiers and the monthly fee is much higher. He explained that this has cost the Meridian School District \$1 million. He reported that the bid just came out again, and Xerox received the contract again. He explained that if the district had not gone out for another bid, Fisher’s would have sued the district.

Karen Echeverria, executive director of the Idaho School Boards Association testified **in support of H 546**. She explained that the state has moved along these lines and the schools should do the same.

Bert Marley, representing the Idaho Education Association testified **in support of H 546**.

Butch Hatch, co-owner of Nick and Willys Pizza testified in **opposition to H 546**. He explained that his business was used as an example in previous testimony for this legislation. He provided copies of the pizza survey done in the Meridian School District. He explained that only two schools were surveyed and not very many of the students filled out the survey. He further explained that the pizza that won the taste test, Chicago Connection, had much more fat and calorie content than his pizza. He reported that the district currently requires the vendor to provide three letters of recommendation, with one being from a school district. He further reported that the district is trying to circumvent the system.

Jeremy Chou, an attorney at Givens Pursley and lobbyist for Fisher’s Office Products testified in **opposition to H 546**. He explained that on the first page of the bill, there are exclusions to the competitive bidding process. He reported that the Meridian School District has approximately 33,000 students. On page 1, starting with line 29; language in the bill allows exemptions for the competitive bidding process if the expenditures are less than the greater of \$30 dollars per student enrolled in the district or \$25,000. He explained that in the Meridian district \$30 dollars a student would equate to approximately \$1 million. He explained that the state has to competitively bid on any purchase above \$5,000. He further explained that the reason Fisher’s filed an objection to the copier bid is because the district did not comply with their own bidding process. He reported that what is fair for the state, should be fair for the school districts and the exclusions in the bill are too much.

Mr. Chou explained that the \$30 per student would apply to any school district in the state.

**SUBSTITUTE
MOTION:**

Rep. Hartgen offered a Substitute Motion to **HOLD H 546** in Committee.

Rep. Max Black testified **in support of H 546**. He explained that he serves on the board for the permanent building fund and they are constantly

appropriating money to fix buildings that are in disrepair as a result of using the lowest bidder. He further explained that the Governor appointed a task force two years ago with representation from the private sector concerning the bidding process for the state. Legislation was passed and is working well. The legislation created a skeletal framework to provide for some balance between the lowest bidder and responsible bidder. He reported that there are two other bills currently in the legislative process regarding this issue. He explained that this legislation is moving in the right direction and it would improve the quality that taxpayers are paying for.

Rep. Black clarified that there were representatives from the school districts on the task force that created the framework. He also clarified that as new and smaller businesses continue to grow they will have quality completions and the task force did not view this as bothersome. He explained that it is not a perfect system and time will improve the process.

David Ferdinand, Canyon County Commissioner, testified **in opposition to H 546**. He explained that there are some unintended consequences to the bill and it is not well crafted. He reported that counties have to competitively bid on purchases above \$50,000 and this bill would allow bigger school districts to only have to competitively bid on purchases above \$1 million.

Erik Makrush, representing the Idaho Association of Building Officials testified **in support of H 546**.

Eric Exline, representing the Meridian School District testified **in support of H 546**. He explained that the school district buys products priced on a per student cost and that is the reason for the language in the bill regarding per student cost. He further explained that the language is not an attempt to make exemptions.

Rep. Jarvis explained that the school districts came up with the per student figures in the bill and he is comfortable amending those amounts. He further explained that he has a proposed amendment to the bill regarding removing the word "services" on page 2, line 7. He explained that it cost the Meridian School District \$1 million using the current language in code and this legislation would save school districts money.

Mr. Exline explained that if the Committee feels that the \$30 per student language is unacceptable, he would support a much lower number.

**WITHDRAWAL
OF ORIGINAL
MOTION:**

Rep. Wills withdrew his original motion to send **H 546** to the Floor with a DO PASS recommendation. He explained that he could not support a motion to send this bill to General Orders at this late date in the session.

**SUBSTITUTE
MOTION:**

Rep. Durst offered a Substitute Motion to send **H 546** to **General Orders without committee amendments. On a voice vote, the motion failed.**

**VOTE ON
ORIGINAL
MOTION:**

On a voice vote, the motion to **HOLD H546** in Committee **carried.**

ADJOURN: There being no further business to be brought before the Committee,
Chairman Nonini adjourned the meeting at 10:50 A.M.

Representative Bob Nonini
Chairman

Claudia Howell
Secretary

MINUTES

HOUSE EDUCATION COMMITTEE

- DATE:** March 19, 2010
- TIME:** Upon Adjournment of the House
- PLACE:** Room EW41
- MEMBERS:** Chairman Nonini, Vice Chairman Shirley, Representatives Trail, Block, Nielsen, Wills, Chadderdon, Shepherd (8), Marriott, Thayn, Gibbs, Hartgen, Thompson, Boe, Pence, Chavez, Durst, Chew
- ABSENT/
EXCUSED:** Representatives Shirley, Trail , Wills, Chadderdon, and Chew
- GUESTS:** Bert Marley, Idaho Education Assoc.; Harold Ott, Idaho Rural Schools Assoc.; Phil Homer, Idaho Assoc. of School Administrators; Jason Hancock, State Dept. of Ed.; Christina Linder, State Dept. of Ed.; Karen Echeverria, Idaho School Boards Assoc.
- Chairman Nonini called the meeting to order at 11:40 A.M.
- MOTION:** **Rep. Chavez** made a motion to approve the minutes of the March 16th, 2010 as submitted. **On a voice vote, the motion carried.**
- RS 19873:** **Rep. JoAn Wood** presented **RS 19873** to the Committee. She explained that she and **Rep. Jarvis** had brought a previous RS dealing with the same issue, that of certificated teachers and administrators that have negative conditions attached to their certificates. She reported that they have met with members of the Idaho Education Association and have made changes to the proposed legislation to address their concerns with the previous RS. She explained that the new language gives the professional standards commission more help than they had in the past to revoke, suspend or place reasonable conditions on any certificates. She explained that the proposed legislation contains a new section relating to past job performance. She explained that this proposed legislation would help a district to avoid having a person serving in a certain capacity and then find that something is wrong and have to buy the person's contract out.
- MOTION:** **Rep. Shepherd** made a motion to introduce **RS 19873**.
- SUBSTITUTE MOTION:** **Rep. Hartgen** offered a Substitute Motion to introduce **RS 19873** and send it directly to the Second Reading calendar.
- In response to a question regarding language in the proposed legislation that deals with an applicant from out of state and "provinces", **Christina Linder**, from the State Department of Education explained that on rare occasions, the state receives applications from teachers from other countries.

Rep. Chavez commented that she has misgivings about the proposed

legislation. She explained that she can support the hiring piece, but is uncomfortable about the language regarding information on past job performance.

**AMENDED
SUBSTITUTE
MOTION:**

Rep. Chavez offered an Amended Substitute Motion to return **RS 19873** to the sponsor.

Rep. Shepherd withdrew his motion to introduce **RS 19873** explaining that he would like to expedite the process and would support the Substitute Motion to introduce **RS 19873** and send it directly to the Second Reading calendar.

Rep. Durst commented that he does not support the motion to send the proposed legislation to the Second Reading calendar and explained that he felt that **RS 19873** necessitates a full hearing in the Committee.

**CALL FOR
DIVISION OF
QUESTION:**

Rep. Durst called for division of question regarding **RS 19873**. He explained that the proposed legislation covers two different subjects and should be considered separately. He explained that Sections 1 and 2 of the proposed legislation deals with suspension or denial of certificates and Section 3 of the proposed legislation deals with information on past job performance.

Chairman Nonini commented that he thought the proposed legislation was all tied together and there was no need to divide it. He further commented that no one had signed up to testify regarding the proposed legislation.

**ROLL CALL
VOTE ON
DIVISION:**

A roll call vote was called for on the question of dividing **RS 19873**. **The Call for the Division of the Question failed, 4 aye, 8 nay, 5 absent and excused. Voting in favor** : Reps. Boe, Pence, Chavez and Durst. **Voting in opposition**: Reps. Block, Nielsen, Shepherd, Marriott, Thayn, Gibbs, Hartgen, Thompson. Representatives Shirley, Trail, Wills, Chadderdon and Chew were absent and excused.

**VOTE ON
SUBSTITUTE
MOTION:**

On a voice vote, the Substitute Motion to return **RS 19873** to the sponsor **failed**.

**VOTE ON
ORIGINAL
MOTION:**

On a voice vote, the Motion to introduce **RS 19873** and send directly to the Second Reading calendar **carried** with Representatives **Boe, Pence, Chavez** and **Durst** voting **NAY**.

RS 19871C1:

Rep. Phil Hart presented **RS 19871C1** to the Committee. He explained that this RS is a rewrite of **H 650** that was referred out of Committee to General Orders. He explained that changes were made to the bill and he decided to have a new RS drafted. This proposed legislation deals with transparency of school district's records. He explained that he received input from interested stakeholders and made changes including; removal of the mandatory requirement to have school districts provide a searchable database.

He explained that this proposed legislation gives the school district four options to post their financial information including; a nonsearchable pdf

format, a searchable pdf format, a spreadsheet or in a database format.

Rep. Hart explained that he also changed the confusing language in the Statement of Purpose regarding which information would be required to be posted.

Rep. Boe commented that the word “personal” should be changed to “personnel” in the fiscal note in the Statement of Purpose. She further commented that language in the fiscal note should be changed to reflect the changed language in the proposed legislation regarding the four options available to school districts to post their financial information. **Rep. Hart** agreed that he would change the language in the Statement of Purpose.

MOTION:

Rep. Nielsen made a motion to introduce **RS 19871C1** and send it directly to the Second Reading calendar with changes in the SOP.

SUBSTITUTE MOTION:

Rep. Gibbs offered a Substitute Motion to return **RS 19871C1** to the sponsor. He commented that he came to the Legislature this year knowing that budget cuts would have to be made to public education that would affect the classroom. He further commented that the proposed legislation is a worthy project, but the timing is improper he will not support taking funds that could be used in the classroom to put in posting financial records on the internet.

Rep. Pence commented that she feels uncomfortable sending **RS 19871C1** directly to the Second Reading calendar without a hearing in the Committee.

Rep. Hartgen commented that he felt the proposed legislation would the have reverse effect of costing the districts more money. He explained that the more people that are able to access financial information on the internet, it would save the districts money and result in less staff time, copy time, and expense if financial records are requested.

Chairman Nonini explained that it would be his intention to request that **H 650**, which is currently on General Orders, be sent back to Committee should this replacement legislation be sent to the Second Reading calendar.

ROLL CALL VOTE ON SUBSTITUTE MOTION:

A roll call vote was requested on the Substitute Motion to return **RS 19871C1** to the Sponsor. **The Substitute Motion failed, 6 aye, 7 nay and 5 absent and excused. Voting in favor** of the Substitute Motion: Representatives Marriott, Gibbs, Boe, Pence, Chavez and Durst. **Voting in opposition** to the Substitute Motion: Representatives Block, Nielsen, Shepherd, Thayn, Hartgen, Thompson and Chairman Nonini. Representatives Shirley, Trail, Wills, Chadderdon and Chew were absent and excused.

VOTE ON ORIGINAL MOTION:

On a voice vote, the Original Motion to introduce **RS 19871C1** and send directly to the Second Reading calendar **carried** with Representatives **Gibbs, Marriott, Boe, Pence, and Chavez** voting **NAY**.

ADJOURN: There being no further business to be brought before the Committee,
Chairman Nonini adjourned meeting at 12:10 P.M.

Representative Bob Nonini
Chairman

Claudia Howell
Secretary

MINUTES

HOUSE EDUCATION COMMITTEE

DATE: March 22, 2010

TIME: 8:30 A.M.

PLACE: Room EW41

MEMBERS: Chairman Nonini, Vice Chairman Shirley, Representatives Trail, Block, Nielsen, Wills, Chadderdon, Shepherd (8), Marriott, Thayn, Gibbs, Hartgen, Thompson, Boe, Pence, Chavez, Durst, Chew

**ABSENT/
EXCUSED:** Rep. Gibbs

GUESTS: Kathie Garrett, ID Council on Suicide Prevention; Sherri Wood, ID Education Assoc.; Larry Johnson, Endowment Fund Investment Board; Jessica Harrison, ID School Boards Assoc.; Kim Kane, SPAN Idaho; Harold Ott, ID Rural Schools Assoc.; Eric Heringer, Seattle-NW; Karen Echeverria, ID School Boards Assoc.; Fairy Hitchcock, Hitchcock Family Advocates; Matt McCarter, State Department of Ed.

Chairman Nonini called the meeting to order at 8:35 A.M.

MOTION: **Rep. Thompson** made a motion to approve the minutes of the March 17th, 2010 meeting as submitted. **On a voice vote, the motion carried.**

MOTION: **Rep. Chavez** made a motion to approve the minutes of the March 18th, 2010 meeting as submitted. **On a voice vote, the motion carried.**

MOTION: **Rep. Thompson** made a motion to approve the minutes of the March 19th, 2010 meeting as submitted. **On a voice vote, the motion carried.**

H 682: **Treasurer Ron Crane** presented **H 682** to the Committee. He explained that this legislation clarifies how the State Treasurer would obtain funds from the School Bond Guaranty Act to prevent the default of a guaranteed school bond and how any payments made by the Treasurer would be repaid to the state by the school district. He further explained that the legislation gives a menu of options to the State Treasurer to intercept funds should a school district default. He also explained that the legislation also deals with the process of notification to the school districts if they are in default. Treasurer Crane explained that there are not many bond insurers left in the market and that this would not a viable option for most public entities.

In response to a question regarding how the funds would be intercepted by the State Treasurer, **Treasurer Crane** explained that his office would have the authority to intercept up to the amount of the annual payment of the bond to keep the state whole. He further explained that the legislation would also allow the Treasurer to consult with the school district to get them back on strong footing.

He explained that if he found that the district could make the payment in the

next few months, he would allow this.

Larry Johnson, Manager of investments for the Endowment Fund Investment Board, testified in support of **H 682**. He explained that currently there are no school districts in default.

In response to a question regarding the rules regarding the fee charged to the school districts on bonds from the Endowment Fund Investment Board, **Mr. Johnson** explained that this legislation deals with the two tiered program regarding bonds guaranteed by the Endowment Fund Investment Board. He further explained that for the top tier, the Board had proposed rules regarding this fee. This rule was rejected by the Committee because the fee was raised. He explained that the Board is working on rewriting this rule and would issue temporary rules at the end of the session. He further explained that the Endowment Board is the proper fiduciary to set these fees. He reported that the Board recently met and voted to charge school districts up to two basis points and an administrative fee of \$500. He further reported that the Board had one meeting with interested stakeholders and will send the proposal for fees out for their input.

In response to a question regarding if the Board would be supportive of an amendment to **H 682** to put the fee change into statute, **Mr. Johnson** explained that he would be concerned about such an amendment. He further explained that there should be a proper separation of duties between the Board and the Legislature.

MOTION:

Rep. Hartgen made a motion to send **H 682** to General Orders with the proposed amendments putting the fee charge into statute. **Vice Chairman Shirley** seconded the motion. Rep. Hartgen explained that legislative oversight is important and returning to the Legislature to change the fee would be appropriate.

In response to a question regarding one of the State Treasurer's options to provide a voluntary loan to the school district, **Julie Weaver**, deputy Attorney General for the Treasurer's Office and the Public Endowment Investment Board explained that the terms would be between the Investment Board and the State Treasurer.

Rep. Hartgen clarified that the proposed language in the amendment would be added to the end of the bill in a new section.

Vice Chairman Shirley spoke in favor of the motion. He explained that the amendment would allow the Legislature to have a say in this important process and it does not strip the Endowment Board of their fiduciary responsibility.

Rep. Wills expressed his concern that by putting the fee in statute, it would lock it in and if the fee were to change, the statute would also have to change.

Rep. Durst expressed his concern about the motion and proposed amendment. He explained that the Endowment Board has a constitutional responsibility and oversight over their funds.

Rep. Hartgen explained that the amendment does not fix the fee, but allows the Board to charge up to two basis points. He further explained that it is appropriate to set in statute so there is some oversight.

Karen Echeverria, executive director of the Idaho School Boards Association indicated that she does support **H 682** and also would support the amendment to put the fee into statute.

Ms. Weaver explained that the Board has not spoken with the Land Board about this amendment and they do not know how they would feel about this.

**SUBSTITUTE
MOTION:**

Rep. Thayn offered a Substitute Motion to send **H 682** to the Floor with a **DO PASS recommendation. On a voice vote, the Substitute Motion carried. Rep. Hartgen** will carry the bill on the House Floor.

Kathie Garrett, Co-Chairman of the Idaho Suicide Prevention Council addressed the Committee. She explained that the Council was appointed by the Governor in 2006. The Council is not funded and is a volunteer group. She explained that **Rep. Block** and **Sen. Goedde** are on the Council. She provided a copy of the November 2009 report from the Council to the Committee members. She also explained that the report is a working plan and the Council is working on objectives important to Idaho. She further explained that the Council has no lead agency in the state, and they work in collaboration with many different state agencies including the Department of Education and the Department of Health and Welfare.

She explained that included in the report are the suicide statistics by county. She reported that Idaho is in the top 10 per capita in the nation in the number of suicides. She further reported that in 2008, 251 people committed suicide in Idaho; a 14% increase over 2007. She also reported that suicides reflect the economic stress of the times and the nation is currently facing a crisis.

She explained that the Governor is concerned about teacher preparedness and the Council is currently reviewing curriculum for both intervention and post suicides. She also reported that about 90% of suicides are directly related to mental health issues and the Council is working on a public health model identifying risk factors and having resources in place to address these risks.

Kim Kane, Executive Director of the Suicide Prevention Action Network (SPAN Idaho) of Idaho addressed the Committee. She explained that SPAN Idaho is a non profit organization and is the impetus of the Idaho state plan on suicide. She reported that in 2006, Idaho had the 10th highest suicide rate, 36% higher than the national average. She further reported that in the last five years, 65 school aged children have died by suicide in Idaho. She explained that SPAN Idaho is continually seeking ways to reduce suicides. They are also working on creating more uniform guidelines for schools in the aftermath of a suicide.

Matt McCarter, from the State Department of Education, and Coordinator of the Safe and Drug Free program for the public schools addressed the Committee. He explained that a lot of families are dealing with economic stress. He also explained that sudden death can have the same impact as suicide. He reported that many schools in the state have great plans to act in the aftermath of a suicide and some do not. There is a need to have a uniform response guidelines. He reported that the Department is working with SPAN Idaho and by the end of this month, it is the hope to have these guidelines posted on the State Department's website, so administrators and staff know what to do in the case of a suicide or sudden death. He explained that the Department has the help of Dr. Peter Wolheim from Boise State University to go to schools that have been affected by a suicide or sudden death.

He reported that the next step for the Department is in the area of suicide intervention and prevention. He further reported that they have had ongoing planning with other partners, and hosting regional forums help to see what mechanisms are in place and how to respond. He reported that with the budget situation, they are less resources to do this. He further reported that the Department is committed to identifying the tools for staff members to help in suicide situations.

Mr. McCarter reported that while parents are a critical component, it is hard to move things forward with too many people involved in the regional meetings. He explained that he envisions parents playing a critical role in the future of these meetings. He also reported that there have been regional trainings in the past, but there has been low attendance. **Ms. Kane** reported that SPAN Idaho is also working on offering training sessions, but with a volunteer staff this is difficult. She explained that any training offered is aligned with best practices.

In response to a question regarding the role of Idaho State University in suicide prevention, **Ms. Kane** explained that there is national legislation which allows states to apply for federal money regarding this issue. ISU applied for the state of Idaho and received federal grant money to work with 10 to 24 year olds. The grant allows ISU to work with those that work with this age group and not the age group itself. They are currently focusing on awareness and intervention related to suicide.

In response to a question regarding the involvement of the Idaho Education Association in suicide prevention, **Sherri Wood**, president of the IEA explained that at the national level there are trainers that have age appropriate training involved with several different issues including suicide prevention in the middle schools and high schools. She reported that there is a lot of information available.

In response to a question regarding the possible problems with less funding for data collection for the Safe and Drug Free program for schools, **Mr. McCarter** reported that data collection has been very important. He reported that the Department recently completed a school climate and safety drug use survey with a sample size of 15,000. The contract cost for this survey was \$50,000. He further reported that the Department is trying to get creative to continue this data collection.

Mr. McCarter also reported that state agencies have a pool in which drug testing equipment can be purchased at a lower cost. He explained that some pieces still need to be locked in before school districts can access this pool and the goal is to have this information for the districts before the next school year.

Chairman Nonini announced that further meetings of the Committee will be at the call of the Chair.

ADJOURN: There being no further business to be brought before the Committee, **Chairman Nonini** adjourned the meeting at 9:55 A.M.

Representative Bob Nonini
Chairman

Claudia Howell
Secretary

MINUTES

HOUSE EDUCATION COMMITTEE

DATE: March 29, 2010

TIME: 8:30 A.M.

PLACE: Room EW41

MEMBERS: Chairman Nonini, Vice Chairman Shirley, Representatives Trail, Block, Nielsen, Wills, Chadderdon, Shepherd (8), Marriott, Thayn, Gibbs, Hartgen, Thompson, Boe, Pence, Chavez, Durst, Chew

**ABSENT/
EXCUSED:** Representatives Block, Hartgen

GUESTS: Sherri Wood, ID Ed. Assoc.; Bert Marley, IEA; Karen Echeverria, ID School Boards Assoc.; Wayne Davis, ID Assoc. of School Administrators; Phil Homer, IASA

Chairman Nonini called the meeting to order at 8:35 A.M. He explained that because he is a co-sponsor of **RS 19913** and would like to testify, he turned the gavel over to **Vice Chairman Shirley** chair the meeting.

RS 19913: **Rep. Eric Anderson** presented **RS 19913** to the Committee. He explained that the purpose of this legislation is to provide transparency and open access to the Joint Finance Appropriations Committee (JFAC) on any proposed budget prior to the Committee setting an agency budget. He further explained that the proposed legislation would provide that JFAC shall also have prepared detailed minutes of all its proceedings be available to the public on a meeting by meeting basis. The proposed legislation further states that JFAC shall also consult with germane committee members prior to setting any budget and the Committee shall refrain from using legislative intent language. An emergency clause is also contained in the proposed legislation.

Rep. Anderson explained that the Legislature has asked for transparency from the Federal government and he felt that the state Legislature should make sure its own house is in order.

In response to a question regarding the transcriptions of JFAC provided by Idaho Public Television, **Rep. Anderson** explained that it is his understanding that the recordings of JFAC meetings are brought together after the session is over. He further explained that he did not know if Idaho Public Television transcribes the recordings of JFAC. He also explained that the germane committees make available minutes of the meetings on a timely basis and this also should be done by JFAC.

In response to a question regarding the need for an emergency clause in the proposed legislation, **Rep. Anderson** explained that it was not his intent to put up roadblocks for JFAC this year. The proposed legislation would take effect next legislative session.

Rep. Durst commented that he also serves on the House Health and

Welfare Committee and expressed his frustration with JFAC inserting legislative intent language with the appropriation legislation. He further commented that because both the Education and Health and Welfare Committees have the opportunity to hear from the public how the budget affects them and JFAC does not, the germane committees should have more input in the budget process.

MOTION: **Rep. Durst** made a motion to introduce **RS 19913** and send it **directly to the Second Reading calendar**.

Rep. Anderson commented that often the reason committees do things the way they do is because of efficiency, but sometimes to be expeditious is not the way to do policy. He further commented that he has a hard time explaining to his constituents that they cannot testify before JFAC, and he also has a hard time explaining why legislators cannot testify also.

Rep. Gibbs commented that he did not think the system is broken in JFAC. He further commented that the JFAC process is televised and is available on the internet. He reported that JFAC also has daily meetings at 7 A.M. that are available to the public to see what motions are prepared for the committee meeting and copies of the motions are available to the public. He further reported that he has attended almost all of the 7 A.M. meetings in the last two years.

SUBSTITUTE MOTION: **Rep. Gibbs** offered a Substitute Motion to return **RS 19913** to the sponsor.

Rep. Boe commented that JFAC has a tremendous responsibility to finish their work in a timely manner. She further commented that JFAC did make an effort this year to hear from committees before they set budgets. She explained that she is concerned about process in this committee and would like to hear more comments regarding JFAC from interested stakeholders regarding this issue.

AMENDED SUBSTITUTE MOTION: **Rep. Boe** offered an Amended Substitute Motion to introduce **RS 19913**. She explained that it is important to give the public a chance to comment on the proposed legislation. She further explained that it is also important to hear from a member of JFAC to defend how they have been operating.

In response to a question regarding how decision making by JFAC has changed over the years, **Rep. Anderson** explained that he would also be interested in this information. He commented that there is wealth in history.

WITHDRAWAL OF SUBSTITUTE MOTION: **Rep. Gibbs** withdrew his Substitute Motion to return **RS 19913** to the sponsor and explained that he would support the Amended Substitute Motion to introduce **RS 19913** and have a hearing on this issue in committee.

Chairman Nonini commented that he and **Rep. Anderson** are currently at the end of their third term. He further commented that at the beginning of his second term, he began to notice that JFAC was inserting more legislative intent language with the appropriation bills. He further commented that the 7 A.M. meetings held by JFAC are informative, but no motions are made at that meeting. He explained that he

was involved in the stakeholders meeting with the co-chairmen of JFAC this past session regarding the public education budget and there was an effort made to make this process more open. He further explained that after the stakeholders meetings were held, JFAC inserted legislative intent language into the public education appropriation bill that was not discussed in the meeting or agreed upon. He explained that both chairmen of JFAC were invited to come to an Education Committee meeting, but both declined. He commented that he felt that the JFAC process is not broken, but by adding transparency it will improve the process. He explained that he was not sure if this proposed legislation will go through the entire legislative process due to the lateness of the session, but it gets the discussion going regarding this issue. He explained that this proposed legislation is a legislative debate, and members of JFAC should be given the opportunity to comment on this issue.

Rep. Durst commented that he agreed with the comments made by **Chairman Nonini**. He further commented that it would be appropriate to debate this proposed legislation on the House Floor.

In response to a request to hear from interested stakeholders regarding the proposed legislation before a vote was taken, **Vice Chairman Shirley** explained that the Committee typically does not hear public testimony on RSs.

Rep. Boe commented that she is in her 14th year in the Legislature and this is not a new issue. She further commented that the Committee should model the process that the proposed legislation is asking for from JFAC.

**ROLL CALL
VOTE ON
AMENDED
SUBSTITUTE
MOTION:**

A roll call vote was asked for on the Amended Substitute Motion to introduce **RS 19913**. The **Amended Substitute Motion failed, 8 Aye, 8 Nay, 2 absent and excused. Voting in favor** of the Amended Substitute Motion: Reps. Nielsen, Marriott, Thayn, Gibbs, Boe, Pence, Chavez and Chew. **Voting in opposition** to the Amended Substitute Motion: Reps. Shirley, Trail, Wills, Chadderdon, Shepherd, Thompson, Durst and Nonini. Representatives Block and Hartgen were absent and excused.

**VOTE ON
ORIGINAL
MOTION:**

On a voice vote, the Original Motion to introduce **RS 19913** and send it directly to the Second Reading calendar **carried**.

Chairman Nonini assumed the chair of the meeting.

S 1422:

Sen. Goedde presented **S 1422** to the Committee. He explained that this legislation addresses the issue that school districts will have less money to operate on for FY 2011 and in order to improve the district's ability to manage with less, this legislation provides school districts with additional flexibility on the use of certain funds in three different areas.

These areas include; Plant Facilities Levy-whenver the State Department of Education certifies that the statewide conditions have been met for

declaring a financial emergency, school districts with a previously approved plant facilities levy may convert the levy to a supplemental levy with a majority vote of the patrons. Plant Facilities Reserve Fund-school districts may transfer any plant facilities reserve funds to their general fund in FY 2011 to be used for one time non-personnel costs, if the monies were not raised by a plant facilities levy and are not needed to fix unsafe school buildings. Local Maintenance Match Dollars-School districts may use monies from their FY 2011 local maintenance match requirement for any one time non-personnel costs if they are not needed to fix unsafe school buildings. Use It Or Lose It-Increases the percentage of state-funded instructional positions that can be shifted to federal funds from 2.63% to 5% for FY 2011.

Sen. Goedde explained that a change needs to be made on Page 7, line 28, of the bill. "2009" should be changed to "2010". He requested that **S 1422** be sent to General Orders to make this amendment.

MOTION: **Rep. Wills** made a motion to send **S 1422** to the General Orders with the Committee amendment to change "2009" to "2010" on line 28, page 7 of the bill. **Rep. Durst** seconded the motion. **On a voice vote, the motion carried. Vice Chairman Shirley** will sponsor the bill on the House Floor.

MOTION: **Rep. Gibbs** made a motion to reconsider the vote on **RS 19913**. **Chairman Nonini** ruled that the motion was out of order.

ADJOURN: There being no further business to be brought before the Committee, **Chairman Nonini** adjourned the meeting at 9:20 A.M.

Representative Bob Nonini
Chairman

Claudia Howell
Secretary