

MINUTES
HOUSE EDUCATION COMMITTEE

- DATE:** Monday, February 27, 2012
- TIME:** 8:30 A.M.
- PLACE:** Room EW41
- MEMBERS:** Chairman Nonini, Vice Chairman Shirley, Representative(s) Trail, Block, Nielsen, Chadderdon, Shepherd, Wills, Marriott, Thayn, Hartgen, Bateman, Boyle, DeMordaunt, Nessel, Pence, Chew, Cronin
- ABSENT/
EXCUSED:** Representatives Block and Boyle
- GUESTS:** Representative Bedke; Jason Hancock, State Department of Education (SDE); Marjorie Hooper, Glynda Pflieger, Teresa Liples and Ann Joslin, Idaho Commission for Libraries; Rob Winslow and Phil Homer, Idaho Association of School Administrators (IASA); Tracie Bent and Marilyn Whitney, State Board of Education (SBE); Karen Echeverria, Idaho School Boards Association (ISBA); Robin Nettinga, Penni Cyr and Paul Stark, Idaho Education Association (IEA); Suzanne Budge, SBS Associates; Janet W'Crouse, citizen
- Chairman Nonini** called the meeting to order at 8:33 a.m.
- MOTION:** **Rep. Thayn** made a motion to approve the minutes of February 22, 2012. **Motion carried by voice vote.**
- MOTION:** **Rep. Chew** made a motion to approve the minutes of February 23, 2012. **Motion carried by voice vote.**
- H 579:** **Rep. Bedke** presented **H 579**, which would allow retired teachers and administrators to be rehired as "at will" employees without putting their PERSI benefits in jeopardy. In order to qualify, participants must have reached the Rule of 90, must not be participating in the early retirement program, and must be retired on or after the age of 62. It is possible to reach the Rule of 90 by age 58, however, lowering the required age could cause problems with the IRS. There are currently sixty-two (62) employees across the State who are participating in this program, which has been in effect for the last five years and is sunseting. This legislation removes the sunset clause.
- In response to questions, **Rep. Bedke** stated that retired teachers and administrators who work less than twenty (20) hours a week are not included in this program; this program allows full-time employment. Administrators are "at will" employees. Retired teachers and administrators who are fully vested in PERSI have the option to work, for example, at McDonald's, without their PERSI benefits being displaced. Going back to work for the school district does not impact the vesting process that has already taken place.
- MOTION:** **Rep. Shirley** made a motion to send **H 579** to the floor with a **DO PASS** recommendation.
- Rob Winslow**, Idaho Association of School Administrators (IASA), spoke in support of **H 579**.
- Karen Echeverria**, Idaho School Boards Association (ISBA), spoke in support of **H 579**.
- VOTE ON MOTION:** **Chairman Nonini** called for a vote on the motion to send **H 579** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Bedke** will sponsor the bill on the floor.

RS 21363:

Jason Hancock, State Department of Education (SDE), presented **RS 21363**. This proposed legislation provides a statutory framework for the State Department of Education's review of online courses, which is a function that the Department is required to perform by Section 33-1627, Idaho Code. It also formalizes the Department's longstanding practice in the area of textbook and curricular material reviews. Mr. Hancock said that there would be no fiscal impact to the General Fund, since the fees charged to providers for online course reviews would be sufficient to defray the Department's costs.

In response to questions, **Mr. Hancock** said that there is existing legislation stating that either the Idaho Digital Learning Academy (IDLA) or the State Department of Education (SDE) must perform reviews. This allows the IDLA to perform their own reviews. One recommendation that came from the Tech Task Force was to have the State develop a website that would list all available online courses with a rating system allowing input and review of feedback. Existing reviews for textbooks and curriculum materials are done by people at the SDE. The books' publishers pay those fees. The SDE will need to analyze how much time it will take to review online materials and perform a sample audit before they will be able to develop a fee structure. The fee structure for analyzing online materials will probably be two-tiered.

Responding to additional questions, **Mr. Hancock** stated that almost all the states have adopted or are in the process of adopting common core standards. Many online courses are built around those standards. He is not aware of any in-state textbook publishers. He has not received complaints about using textbooks that are published out-of-state.

MOTION:

Rep. Thayne made a motion to introduce **RS 21363**.

Rep. Trail stated that he will support the motion.

In response to additional questions, **Mr. Hancock** stated that the proposed rating system for online courses would assist parents in preventing problems with selecting adequate online courses.

VOTE ON MOTION:

Chairman Nonini called for a vote on the motion to introduce **RS 21363**. **Motion carried by voice vote.**

RS 21364:

Jason Hancock, State Department of Education (SDE), presented **RS 21364**. This proposed legislation relates to the State Department of Education's Bureau of Teacher Certification. Section 1 will increase the fee charged for fingerprint background checks from the current \$40 up to \$55. This is necessary due to the 2012 Legislature's approval of an Idaho State Police rule increasing their portion of this fee from \$10 to \$25. Section 2 of the bill provides a mechanism for the Bureau to notify teachers by e-mail when their certification is about to lapse. Notification is not currently provided. The approximately \$190,000 in increased dedicated fund revenue will accrue to the Idaho State Police, pursuant to the fee increase rule approved by the 2012 Legislature.

In response to questions, **Mr. Hancock** said that he understands this fee could be a burden for volunteers. It is valuable to recheck fingerprints periodically; there have been times when issues were revealed during rechecks. Student safety is paramount.

Rep. Wills indicated his concern that the fee is paid by volunteers rather than by the school districts.

In response to additional questions, **Mr. Hancock** said that staff e-mail addresses are made public and are not confidential. He believes that the Idaho State Police and the FBI are looking into providing updates and notification if a person who was previously fingerprinted has an incident in their own or another jurisdiction, but that program is probably years away from being implemented. There is nothing preventing school districts from reimbursing volunteers for the cost of fingerprint checks. The need for additional volunteers could be an incentive to reimburse volunteers for that cost.

MOTION: **Rep. Shirley** made a motion to introduce **RS 21364**.

Responding to additional questions, **Mr. Hancock** stated that anyone who enters the school as an employee, volunteer, or other worker needs to be checked against the sex offender registry. There is no fee for that check.

VOTE ON MOTION: **Chairman Nonini** called for a vote on the motion to introduce **RS 21364**. **Motion carried by voice vote.**

RS 21356: **Rob Winslow**, Idaho Association of School Administrators (IASA), presented **RS 21356**. This proposed legislation provides for 97% average daily attendance (ADA) funding protection for Idaho school districts. This is important because school districts must make teacher contract offers by no later than July; this occurs before they know how many students will be attending school at the end of summer. The proposed legislation would allow school districts that lose more than 3% of their students, year over year, to continue receiving state funding as if the district only lost 3% of its students. The ADA-driven loss of funding would "catch up" the following school year, since this protection feature would reset to 97% of the lower ADA count. However, the school district would know this in advance, and could reduce staffing between school years accordingly. Unlike previous approaches to school district funding protection in Idaho, this legislation is self-funding. The State Department of Education is directed to calculate the additional funds distributed to school districts due to the 97% protection feature in **RS 21356**, and will reduce all school districts' ADA funding by the necessary percentage to cover the cost of protection, including the funding of districts benefitting from it. Essentially, it functions like an insurance premium, with the premium rate calculated after the fact. Based on recent history, it is expected that a 97% ADA protection level will result in an offsetting, across-the-board reduction in school district ADA funding of less than two-tenths of one percent. He stated that he has worked on this proposed legislation with Superintendent Luna and the Idaho School Boards Association.

Jason Hancock, State Department of Education (SDE), responded to questions. He stated that this would be ongoing but would reset annually. This has never been applied to charter schools; a recent lawsuit determined that this does not apply to charter schools as currently written. Those schools with enrollment increases are asked to share in the cost of this program, which would benefit schools with enrollment decreases. Charter schools have the ability to manage their enrollment levels in a way that other public schools don't. Many have waiting lists and do not suffer from a decrease in numbers. In theory, this proposed legislation could include charter schools without a negative impact.

MOTION: **Rep. Marriott** made a motion to introduce **RS 21356**.

In response to additional questions, **Mr. Hancock** stated that two different things are protected. The ADA count is based on attendance through the first Friday in November. That data is used to calculate a payment that is made in February. The best twenty-eight (28) weeks of attendance throughout the school year drive discretionary funds; that payment would be made on July 15.

Responding to a question, **Chairman Nonini** stated that he believes this proposed legislation should be introduced, and potential problems can be addressed at the bill hearing.

VOTE ON MOTION:

Chairman Nonini called for a vote on the motion to introduce **RS 21356**. **Motion carried by voice vote.**

Ann Joslin, Idaho Commission for Libraries, gave a presentation to the committee. She stated that there is a new statute on Internet use in public libraries that will become effective in October of 2012. Some libraries have already implemented the new procedures but due to a need to conduct research and purchase necessary items, others have not. Citizens have complained about no longer being able to make online purchases as well as the lack of access to gun manufacturer websites and the Idaho Lottery online. Fifty-five (55) of the least connected libraries have been upgraded with five hundred thirty (530) new computers and significantly higher broadband speeds. The Idaho Commission for Libraries partners with Idaho Public Television, Department of Labor, Adult Basic Education, and the Idaho Regional Optical Network (IRON). The partnership with the Department of Labor has continued to expand to include the Career Information Service that is now available in all Idaho public libraries, and the Job Seekers Handbook that is now online with video clips of Idaho employers in English and Spanish. Idaho Youth Corps members have been matched with public libraries as digital literacy coaches for the public. The Department of Labor plans to increase this Youth Corps program to all interested libraries next summer.

Ms. Joslin referenced the Read to Me program, which provides books to Idaho's children. She stated that research supports the fact that when children have books, they read them, increasing literacy. Participation in summer reading programs has seen a huge increase, with 71,000 children participating last summer at 140 library facilities. She stated that the new focus on technology in public education points to an increased need for teacher-librarians. She said that Idaho's librarians help develop literacy and a love of learning for Idahoans throughout their lives.

In response to questions, **Ms. Joslin** stated that there is a collection of video resources called "Scout" that is available for students and teachers. Currently there is not a partnership between the Department of Commerce and the Idaho Commission for Libraries. She has not given a presentation to the Department of Commerce. Libraries are inviting local business leaders and their local Chamber of Commerce members to events. The Credible Connections program is designed to help local libraries reach further into their communities to strengthen ties with businesses, K-12 education, and non-profit agencies. This is designed to bring higher visibility to the libraries and increase each community's knowledge of resources offered by libraries. The more libraries are used at the local level and the more they are considered to be integral parts of their communities, the more support there will be for library programs. Idaho libraries have an average equivalent of two (2) to three (3) full time staff members. This does not provide enough staffing for vibrant, active libraries. Library districts were patterned after school district boundaries. They are independent taxing districts with elected boards.

ADJOURN:

There being no further business to come before the committee, the meeting was adjourned at 10:01 a.m.

Representative Nonini
Chair

Mary Tipps
Secretary