

MINUTES
HOUSE EDUCATION COMMITTEE

- DATE:** Wednesday, February 29, 2012
- TIME:** 8:30 A.M.
- PLACE:** Room EW41
- MEMBERS:** Chairman Nonini, Vice Chairman Shirley, Representative(s) Trail, Block (Block), Nielsen, Chadderdon, Shepherd, Wills, Marriott, Thayn, Hartgen, Bateman, Boyle, DeMordaunt, Nessel, Pence, Chew, Cronin
- ABSENT/
EXCUSED:** Representatives Trail, Block (Block) and Nessel
- GUESTS:** Tamara Baysinger, State Board of Education (SBE) and Public Charter School Commission (PCSC); Joe Merrick and Vickie L. Chandler, Bruneau-Grandview School District 365; James Page, Boise State University; Michelle Taylor and Jason Hancock, State Department of Education (SDE); Max Greenlee, Risch Pisca
- Chairman Nonini** called the meeting to order at 8:33 a.m.
- MOTION:** **Rep. Chew** made a motion to approve the minutes of February 28, 2012. **Motion carried by voice vote.**
- RS 21290C1:** **Rep. Hart** presented **RS 21290C1**, which would establish a standardized biological evidence preservation law for Idaho. Evidence preservation in this proposed legislation is limited to felony offenses in which fingerprint or DNA testing may be requested. Currently, there is no uniform standard for the preservation of biological evidence in Idaho. There are at least ten different policies throughout the State. Forty-four (44) other states currently have laws regarding the preservation of biological evidence.
- In response to a question, **Rep. Hart** stated that the Sheriffs Association supports **RS 21290C1**.
- MOTION:** **Rep. Shepherd** made a motion to introduce **RS 21290C1**. **Motion carried by voice vote.**
- RS 21390:** **Rep. Ringo** presented **RS 21390**. She stated that on March 3, 2012, the Idaho Education Association (IEA) will be celebrating its 120th anniversary. **RS 21390** is a Concurrent Resolution to congratulate and recognize the IEA.
- MOTION:** **Rep. Shirley** made a motion to introduce **RS 21390** and send it directly to the Second Reading Calendar. **Motion carried by voice vote.** **Rep. Ringo** will sponsor the bill on the floor.
- H 588:** **Rep. Hartgen** presented **H 588**. He stated that this bill came from the Bruneau-Grandview School District regarding rural Idaho students who are attending school in Elko County, Nevada. The Elko School District charges the State of Idaho \$697,968 to educate those students, at an approximate cost of \$12,245 per student. This amount is significantly higher than the actual cost to educate the students. Rep. Hartgen said that the State of Idaho is in a poor position to bargain for a more reasonable price. Given the remote location of the Riddle-Grassmore area where the students live, the nearest Idaho schools cannot afford to bus students to their facilities. **H 588** would provide that any school district that has students being educated out-of-state would be allowed to count those students as a separate attendance unit, as if they were in a stand-alone remote school. It would also allow the District to have an attendance divisor of ten (10), rather than the usual minimum of twelve (12). Rep. Hartgen stated that if these changes take place, the Bruneau-Grandview School District would be able

to qualify for state transportation reimbursement for much of the transportation costs associated with busing these students to Bruneau-Grandview schools. The enhanced funding stream would provide enough funds to allow the District to negotiate for a better rate from Elko County schools.

Vickie Chandler, Bruneau-Grandview School District, stated that she was told by the Elko School District that if Idaho brought legislation to try to solve the problem, they would be willing to negotiate a lower price. She stated that she would like to have the option to bus students the more than seventy (70) miles each way to Idaho schools, however, she believes that due to the distance not very many students would actually attend. She believes that if parents of Native American students currently living on a local reservation refuse to allow their children to be bussed the 140 mile round trip each day, those students would no longer be the responsibility of the State of Idaho. She **supports H 588**.

Joe Merrick, Bruneau-Grandview School District, spoke **in support of H 588**. He stated that the Elko School District sends Idaho their bill after their audit is completed, mid-year.

MOTION:

Rep. Bateman made a motion to send **H 588** to the floor with a **DO PASS** recommendation.

In response to questions, **Mr. Merrick**, Bruneau Grandview School District, stated that certain Idaho students attending school in Oregon are educated at approximately the same financial rate that is paid per student in Idaho.

In response to questions, **Jason Hancock**, State Department of Education (SDE), referred to this as a "pass through" and said that Idaho does educate students from other states. Idaho law contains a formulaic mechanism for calculating what out-of-state school districts will be charged to educate those students. This legislation provides leverage, allowing Idaho to have another option should the Elko School District refuse to lower what they are charging the State.

In response to questions, **Ms. Chandler**, Bruneau Grandview School District, stated that Nevada has cited transportation to bring Idaho students into Nevada as a large additional cost, however, they have stated that they spend slightly more than \$600 per Idaho student for busing. That leaves an additional education cost of over \$11,000 per student per year. They spend approximately \$8,700 per Nevada student. She stated that this problem has existed for many years. The Bruneau-Grandview School District had to seek legal assistance in an attempt to prevent an increase in the amount charged by Nevada.

In response to questions, **Jason Hancock**, State Department of Education (SDE), stated that current law dictates that local districts must negotiate contracts with out-of-state schools. He stated that local providers are in the best position to evaluate their needs. If the Bruneau-Grandview School District requested assistance from the SDE during negotiations with the Elko School District, the SDE could assist, however, decision-making authority lies with the local district.

In response to questions, **Ms. Chandler**, Bruneau Grandview School District, stated that were sixty-one (61) affected students in the 2001/2002 school year. There are fifty-seven (57) affected students this year with a large increase expected. Many of the students are Native Americans who live on a Reservation. It is not financially feasible to build a school for those students.

Rep. Nielsen called for the question.

VOTE ON MOTION:

Chairman Nonini called for a vote on the motion to send **H 588** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Chew** requested to be recorded as voting **NAY.** **Rep. Hartgen** will sponsor the bill on the floor.

H 590: **Tamara Baysinger**, State Board of Education (SBE) and the Public Charter School Commission (PCSC), presented **H 590**. This legislation would make a number of changes to Idaho Code to restructure the flow within the chapter to a more logical order, to remove outdated and redundant language and make corrections to grammar. It would also establish more practical timelines for public hearings and would clarify that the full record would be considered by a hearing officer in the event of an appeal regarding the denial of a charter petition. It would also clarify the SDE's role in providing technical assistance to petitioners and public charter schools.

Ms. Baysinger briefly outlined applicable changes to Code.

In response to questions, **Ms. Baysinger** stated that this legislation would not change founders' preference.

MOTION: **Rep. DeMordaunt** made a motion to send **H 590** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. DeMordaunt** will sponsor the bill on the floor.

ADJOURN: There being no further business to come before the committee, the meeting was adjourned at 9:25 a.m.

Representative Nonini
Chair

Mary Tipps
Secretary